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MINNESOTA MUNICIPALITIES

Dedicated to Municipal Progress in Minnesota

VOL. I

FEBRUARY, 1916

No.

In this issue

The Religion of Inspired Politics

Park Planting for Prairie Towns

Central Station Heating in Minnesota

Virginia's New Sewage Disposal Plant

PUBLISHED BY THE MINNESOTA MUNICIPAL LEAGUE

LEAGUE OF MINNESOTA MUNICIPALITIES

MINNESOTA MUNICIPALITIES

VOL. 1

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Table of Contents

Our New Activity.....	1
Strengthening Civic Righteousness.....	2
Making for Solidarity.....	3
We Have Arrived.....	3
Pack Planting for Prairie Towns.....	4
The Religion of Inspired Politics.....	8
Report of the Resolution Committee.....	21
Central Station Heating.....	23
Virginia's Sewage Disposal Plant.....	25
Committees for 1916.....	28
Information Department.....	30

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Minnesota Municipalities

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The League of Minnesota Municipalities

VOLUME I

FEBRUARY, 1916

NUMBER 1

Our New Activity

The municipal officer to be successful today cannot limit his knowledge of municipal affairs to the experiences of his own community. All over the country municipal officers are organizing to investigate the problems of the village and city, to compare notes and to co-operate in the interest of their towns. The League of Minnesota Municipalities was organized to secure these advantages for the villages and cities of Minnesota.

At the first convention held in St. Paul, 114 delegates registered. A year later 139 municipal officers attended the Mankato meeting. At the recent Virginia convention 239 delegates were in attendance. During this two year period the membership of affiliated towns jumped from 51 to over 100. This growth and interest in its activities indicates that the League has an important and permanent function to perform in the improvement of municipal administration.

From the beginning the need has been felt for a closer relationship between the headquarters of the League and the membership municipalities. To secure this the Executive Committee, at a recent meeting, decided to discontinue the publication of the proceedings in a single volume and authorized the issuance of serial municipal bulletins.

MINNESOTA MUNICIPALITIES is to be the clearing house for the interchange of ideas and civic news between the members of the League. A large portion of the magazine will be given over to the papers and discussions of the annual conventions. It is proposed, however, to devote considerable space to current municipal affairs. The replies to inquiries received by the Municipal Reference Bureau will be presented when they are of general interest. Frederic H. Bass, who will serve as associate editor, has kindly consented to assume responsibility for the technical engineering aspects of municipal administration. In this issue he writes about Virginia's new sewage disposal plant.

The most useful service this bulletin can render is to record the action

ties of the villages and cities of the state. There are questions of health and sanitation, street pavement, water supply, garbage and sewage disposal, public markets, public works, municipal ownership, franchise control, city planning, charities and corrections, taxation and assessment, finance, accounting methods, home rule and many other subjects that are referred to our municipal bodies. Academic discussions of these subjects are profitable but the practical experiences of our municipalities in dealing with these problems are more helpful. It is important, therefore, to have contributors write when they have something fresh to contribute. To serve its clientele, MINNESOTA MUNICIPALITIES must have the hearty co-operation of the active municipal officers of the state.

Strengthening Civic Righteousness

It has been truly said that "In union is strength." The municipalities of Minnesota, united in one organization,



President J. N. NicholSEN, City Attorney, Austin.

are bound to strengthen civic righteousness, increase efficiency in public affairs, and awaken in the public of-

ficers of every municipality a desire to be helpful to someone else, as well as to be in position to receive help from others.

The many enthusiastic municipal officers who have attended the several conventions of the League, at St. Paul, Mankato and Virginia, and the many hundreds that will attend the one on October 18th and 19th next at Red Wing, have received and will receive an immense amount of good from this organization. The only method by which its highest benefits can be carried to the greatest number, is by the publication and distribution of a municipal magazine that shall go into the hands of practically all of the municipal officers of the state. I sincerely hope that "Minnesota Municipalities," the new-born baby in Minnesota journalism, will be, not necessarily a "howling success," but a "successful booster" for everything that is good in our American municipal life. I know that this will be true, if each and every municipality in the State act as a god-mother for the babe, and will continue to stand sponsor for the child's actions in the future. "Minnesota Municipalities" has a field to cover, a constituency to serve, and I bespeak for it a long life and prosperous and helpful existence.

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Making for Solidarity

The League of Minnesota Municipalities has possibilities for the development of Minnesota through bringing about economy and efficiency in the



Ex-President J. E. Jenks, City Attorney, St. Cloud.

administration of public affairs, unequaled by any single agency in the state.

The individual municipalities and the individual municipal officers have not derived the benefit from the League that they could and ought to have gained because they have not used the League as they should and ought to have used it.

In order, therefore, to bring the League home to its members, the executive committee has decided to issue its own publication. This publication invites and should receive questions and suggestions from every municipal officer in the state.

It will deal with specific problems

common to many towns and cities throughout the state and can be of great value in the solution of real troubles that beset us.

It will make for solidarity.

It will make us acquainted with each other.

It will bring us together on the ground of our common troubles and our common attainments.

It belongs to all of us. Let us make it valuable to all of us by using it to the limit.

We Have Arrived

The League of Minnesota Municipalities is now safely past its days of infancy. As one who watched over its



Secretary-Treasurer Richard R. Price,
Director of the General Extension
Division, University of Minnesota.

first feeble struggle for existence, the writer hereof feels entitled to indulge himself in a glow of pride in the pres-

ent lusty and vigorous youth of the organization. Nothing succeeds like success. Each year of growth, each visible evidence of co-operation, each demonstration that we stand for investigation and discussion first, followed by concerted action, will strengthen our influence among those who direct public affairs in this state and will add enormously to our prestige. But we

must feel and exercise our solidarity. Each officer of each membership town must school himself to think in terms of the League and to advance the interests of the league as the one paramount organization for the expression of the municipal thought and will of Minnesota. Let the slogan be,—“Each for all and all for one.”

Park Planting for Prairie Towns

LYCURGUS R. MOYER, Councilman, Montevideo

This paper discloses that Mr. Moyer has been very actively identified with the city beautiful movement. Landscape gardening is not his profession; it is his avocation. Mr. Moyer is the president of the Chippewa County State Bank, but he does not permit his business to consume all of his time. He is the president of the Library Board, the president of the Park Board and has superintended the artistic arrangement and planting of Montevideo's parks. In a subsequent issue he will discuss in some detail the trees that are suitable for park planting.—Editor.

The prairie village usually grows up around a railway station, the station itself, a watertank and a row of grain elevators, forming the civic center, so to speak. Everything else must be created. And the people who come are poor, as the frontiersman always is. Carnegies and Rockefellers do not start the prairie towns. Houses, stores and shops must be built, streets must be graded, sidewalks must be laid, crossings must be put in, a public water supply must be obtained, fire protection must be secured, the streets must be lighted, schools must be maintained—for the people who go to the frontier are usually young, and many children are born to them. All these things take money, and tax levies become burdensome, often as high as five and six per cent. Then there comes a demand for a high school and a public library. Perhaps there will be a call for a municipal lighting plant, with ornamental lights on Main Street.

The Weed Among Trees

But with the coming of ornamental lights the discovery is apt to be made that the growing town is not so esthetically beautiful as it might be. The grounds near the railway station are found to be decorated with discarded farm machinery, illy kept coal sheds, disreputable lumber yards, the whole overgrown with Russian thistles, oriental mustards, French penny-cress, as well as with a choice collection of American weeds. Perhaps the streets have been “worked,” but if that is the case, the roadway is very apt to have been made much too wide, and the parking or boulevard much too narrow, and very likely the whole has become overgrown with coarse weeds or tall prairie grasses. If trees have been set along the residence streets they are apt to be box-elders, that weed among trees, set much too thickly and far too close to where the sidewalk should be. If the town-site proprietor when he

laid out the town left a block marked "Public Square," it may have been planted orchard fashion with a collection of box-elders and cottonwoods. If these trees have grown up, the square itself is a problem that the most expert landscape artist scarcely would dare to tackle. Assuming that the public square is on high, dry ground, the cottonwoods are apt to have begun to fail, while the box-elders have attained their full growth and are becoming more and more decrepit from old age with each passing year. At the city dumping grounds, not far away, there is found a pile of old rusty tin cans, broken crockery, dilapidated old stoves and other cast off impedimenta of civilization that fire would not destroy.

If there be a lake or a stream near by with its fringe of trees or shrubs, the chances are that it has been used for pasture land or as sites for neglected stables, until most of its original beauty has been lost or destroyed.

The Desolation of Civilization

The breaking plow and the fenced pasture have destroyed the original prairie flora, and along the country roads one only sees a fringe of ugly weeds. Strange, is it not, what desolation civilization leaves behind it!

Fortunate is the prairie town which does not have among its early settlers a large number of people whose only ambition is money-getting, people whose God is money. And doubly fortunate is the town that does not have a large number of croakers who object to all esthetic improvements.

But the time comes eventually when the people begin to look about them and dimly begin to realize how inexpressibly ugly their town really is. But the time of awakening is a long

process, and those who begin to see are often looked upon as visionaries and fools.

The Railway Station Grounds

Now that home rule charters are common, it is well to see that the town has a park board, say of five members, one to be appointed by the mayor each year to hold office for five years. Get a small appropriation from the council and begin work. A good place to commence is on the railway station grounds. Get that cleaned up and seeded down to grass. Good grass is the foundation of all landscape work. There is nothing better than bluegrass and clover. The clover will die out in the course of a year or two, but it

REVERENCE FOR NATURE

Minnesota Has Ten Thousand Lakes

"If there is a fringe of trees on the lake shore, it should be preserved and treated with reverence. No landscape gardener has yet been able to rival nature in artistic planting. Do not send the street commissioner into it with his brush hook. For the most part let the underbrush grow."—Lycurgus R. Moyer.

takes that long for blue grass to get started. Try to get the railway company interested; try the superintendent, the road master, the station agent. Get their consent if you cannot get their co-operation and go ahead. There are always waste places about the station grounds that may be planted. Make your plantations so that they will look well from the car windows or from the station platform. Plant large beds of peonies, beds of iris and beds of phlox in the fore-

ground, with groups of caraganas, groups of lilacs, groups of bush honeysuckles farther back. Besides the common lilacs be sure to have the Japanese tree lilac, the *Villosa*, the *Rothmagensis*, the *Charles X.*, the *Senator Vollard*, and the *Lady Josickea* lilacs. If the station grounds are on rather moist land a few irregularly planted clumps of Siberian dogwood will look well. A clump of barberries will not be amiss, with one or two purple ones. Do not mix your planting too much. In the main make your clumps of plants and shrubs belonging to the same genus.

Avoid Box Elders

If the business street does not lead right down to the station, the parking of the station approaches will next demand attention. The roadways need not be more than thirty feet wide—narrower are sometimes better—and the rest of the street should be seeded down to grass and planted with trees and flowering shrubs. Besides the shrubs already spoken of the philadelphuses, high bush cranberries, *rosa rugosas*, *spireas* and Japanese barberries may be used. The forest trees should be American elm, green ash or hackberry, and for variety do not overlook the Kentucky coffee tree nor the cork barked elm. Avoid box elder and cottonwood, including its aliases, Norway poplar and Carolina poplar.

Width of Streets

On a sixty-foot residence street not more than thirty feet should be devoted to roadway. This will leave fifteen feet on each side for parking. If the sidewalk is along the lot boundaries the street trees should be set ten feet out from the street lines thirty feet apart in the row. Flowering shrubs may be set between the trees with

good effect, to be removed when the permanent trees have attained some size. In many cases a narrower roadway than thirty feet is advisable. In nearly all cases roadways are too wide. The parts of the street not used for roadway and sidewalks should be seeded to bluegrass and white clover, and treated as a lawn. The narrower the roadways are the less trouble there will be from the dust raised by the prairie winds. Narrow roadways, too, can be kept in order with less expense. The unused portions of wide roadways are apt to become overgrown with weeds and coarse grasses and become very unsightly. Perhaps twenty-four feet is a sufficient width for roadways on residence streets, the edges of the roadway to be rounded off with easy curves of wide radius at street intersections, so as to give ample room there.

If electric light and telephone poles have been permitted on the streets, lose no time in getting an ordinance passed providing for their removal to the alleys where they properly belong.

The Watertank

If there is vacant ground about the city watertank, clean it up and get it into grass. A plantation of shrubs will be in good taste about the structure itself, with perhaps a bed of perennials. If the site is less than a block of land, a border of shrubs may well be introduced on the side away from the street, making the border thicker where there are barns or outbuildings to be concealed. Perhaps there will be room for a few neat growing evergreens, such as the Colorado spruce (*Picea pungens*) or the Black Hills spruce, or for a silver foliaged tree, like the Russian olive.

Public Buildings

The public buildings will come in

for treatment. Street trees should be planted as suggested above. Walks should be laid in the direction of the heaviest travel. If the grounds are large, a few evergreens of the kinds indicated should be planted toward the corners of the grounds. As a general rule, all other plantings should be toward the borders of the grounds. If there are unsightly buildings anywhere on the grounds, mask them by planting lilacs, tall caraganas and bush honeysuckles about them. If the buildings are of stone or common brick, plant *ampelopsis englemannii* about them and let it run up the walls. Large shrubs, such as lilacs, philadelphuses or tree caraganas might be planted at the corners of the buildings. Mask the foundations with small shrubs like the Japan barberry, or with such herbs as *Polygonum Sieboldii* or *Polygonum amplexicaule*, taking care not to obstruct the windows; for these herbs are rampant growers.

The Public Square

The public square will need more radical treatment, but do not make the mistake of planting it full of forest trees. Leave an open place in the center. Of course there will be the street trees outside and perhaps a few evergreens may be introduced towards the corners or toward the sides if there is an unpleasant view that should be cut off. The Austrian, or black pine of Europe does well on the prairies and is the best looking hardy pine. The rock pine (*Pinus scopulorum*) from the foothills of the Rocky Mountains is very hardy, but it is too straggling in its habit to be admitted into a public square. The Magho pine, an European shrub, may be planted and will remain a shrub for many years. Do not plant the white-pine. It is sure to fail all over the Southwestern part of the

state. One or two silvery leaved trees, like the Russian olive, may be planted in the borders, with the Japanese tree lilac, and the Manchurian lilac (*Syringa villosa*). These are all rampant growers. Smaller shrubs, such as spireas, barberries, viburnums, may be planted in front of them or alternate with them, taking care not to be too formal. The place for hardy flowers, peonies, irises, phlox, hardy chrysanthemums, etc., is toward the center of the grounds, surrounded by a well kept bluegrass sod.

If the town is in a hilly location and there are banks of raw earth anywhere to be covered, there is nothing better than lilacs to cover them. They will grow on a very steep slope if care is taken to set them in the lower angle of V-shaped ditches to lead the water that falls on the slope toward them. And when they are in bloom people will stop and wonder at their beauty.

Treat Nature With Reverence

If the town is by a lake shore or river bank, it is doubly fortunate. No time should be lost in acquiring the land there for a public park. If there is a fringe of trees on the site it should be preserved and treated with reverence. No landscape gardener has yet been able to rival nature in artistic planting. Do not send the street commissioner into it with his brush hook. For the most part let the underbrush grow. Open only necessary walks and drives, and do not under any circumstances fill the woodland with the works of man. If planting must be done, and often it must, do not overlook our native trees. Bur-oak, American elm, cork-bark elm, red elm, green ash, hackberry, basswood, ironwood, coffee tree, walnut, butternut, bitternut, silver maple, willows and cottonwoods will all have an approx-

priate place. The willows and cottonwoods will be at home near the water. The basswoods and maples are well adapted to rich ravines. The ironwood will thrive on the north slope of hills. The hackberry is adapted to bench lands, while the green ash and the bur-oak will grow anywhere. The borders of woodlands should be set with native shrubs, such as our beautiful hawthorns, blackhaw, wahoo, high bush cranberry, red-berried elder, sumac, gooseberry; wild currant, the woodland, or red twiggid, rose, cornel and

the shrubby upland willows. The only evergreen native to the prairies is the Virginia juniper; but the Black Hills spruce and the Colorado spruce are hardy, and among the hardy pines we have the black pine of Europe, the Scotch pine, and the rock pine (*Pinus scopulorum*) from the Black Hills and from the Rocky Mountains. A park is for rest and quiet. It should be the crowning work of our efforts to get back to nature. Do not spoil it with carpet bedding, band stands, or other obtrusive work of man.

The Religion of Inspired Politics

HERBERT S. BIGELOW, People's Power League, Cincinnati

I have a friend in Kansas City, Kansas, who used to be Chief of Police of that town. Before his appointment to that position he was a Methodist preacher. He was eating dinner in a hotel in Kansas City one day, when a gentleman on the other side of the dining-room asked the tablemaid who he was, pointing to my friend. "Oh," said the girl, "don't you know him? That is Vernon J. Rose, the Chief of Police of Kansas City. I knew him when he was nothing but a preacher."

Now, Mr. Chairman, I want to explain at the outset that I am not a statesman, I am not an office holder, I have not the honor of being an administrator, or of having any part in such work as you have. I am nothing but a preacher, and this Power League that your chairman referred to is nothing but a little missionary enterprise of mine—it is the missionary society of my church in Cincinnati.

His First Sermon

I remember the first sermon I ever preached. I think I remember it better than anybody else does. I was a student in Lane Seminary in Cincinnati, and there came the invitation to preach

my first sermon. It was in the evening, and the church was away on the other side of the city. I had never seen



Herbert S. Bigelow is widely known as "the preacher in politics." In 1912 he was elected to serve as president of Ohio's Fourth Constitutional Convention. Of the amendments submitted by the Convention to the people the most fundamental and far-reaching were those providing for the Initiative and Referendum. Mr. Bigelow was largely responsible for these sections. His two addresses featured the Virginia Convention. In our next issue there will be presented his argument for Municipal Ownership.

the church. I had to change street cars three times to get there, and I was late. I had a vision of a great audience anxiously awaiting my arrival. When I got there I found a little mission church. The first thing that attracted my attention on entering was a big fat woman standing on a chair in the middle of the room, struggling to light some oil lamps suspended from the ceiling. She was the janitress. There were three other women, two old men, and the rest of them were children—seventeen in all. I had carefully prepared my sermon. Fearing lest I would not know enough on any subject to keep me going for half an hour, I chose as big a subject as I could think of, and for that first sermon of mine I had this subject: "Life. I came that they might have life, and have it more abundantly." To that audience of seventeen I preached my first sermon, on the subject of Life.

It was part of the arrangement, Mr. Chairman, that by way of compensation I was to receive the entire collection of the evening. I am ashamed to admit it—and I plead the poverty of those old student days—I am ashamed to admit it, but on my way home I stopped under the first lamp post to count the change. It was just thirty cents! Years after I found that sermon at the bottom of the barrel and read it over, and came to the conclusion that I had been overpaid.

I think I know now what the trouble was with the preaching of my earlier years of professional life. I had in those years comprehended but one-half of the gospel, as it now seems to me. I had understood that the gospel was an appeal to the divine in the individual to awake to his own divinity, to be the being God intended him to be. The other side of the gospel I did not see at

that time, and it is this: That there are two factors in salvation; one is the man himself, and the other is his opportunity. And it is just as much the duty of the church to endeavor to create better opportunities for men as it is to appeal to them to use the opportunities that they have.

Religion and Politics

Well, this sort of philosophy, as I grew into it, got me into a political life—not in the sense of running for office (although I have held a few offices in Ohio) but it made me feel the close relationship between the work of the so-called politician, who is dealing with the laws and conditions of social and industrial life, and the work of the preacher. And I began to look at politics as a kind of way to carry out one's religious ideals. I thought that every church ought to have a sort of political organization, a kind of home missionary society, that should have for its purpose the organization, the marshalling of our public opinion, the appeal to the citizens to vote as they pray and to work in public life and political life for a realization of the ideals that we preach on Sunday. And so, for many years, I have conducted my church and had my pulpit in Cincinnati, and have had this little missionary society of ours—an organization of men and women, not confined to my church membership by any means—seeking to improve the opportunities, to enlarge the freedom, to increase the chances of men and women to live a noble life.

A Fifteen Years' Battle

At first, in the early years, I had considerable to do with the ordinary political agencies, such as participation in primaries and conventions, and that sort of thing; but finally I came to see

that the people needed some other agency, that there should be a way of doing things outside of the ordinary political agencies, that there should be a way by which men could make their views effective in public life without themselves holding office or becoming candidates. And so I began what proved to be a fifteen years' battle in Ohio, to get the initiative and the referendum—never thinking that those things would in themselves be panaceas for anything, but believing in them as instruments with which to raise the average of intelligence of the citizens and to create a better and a nobler citizenship.

Cincinnati Owns Railroad

In 1910 there came the opportunity (which comes, under Ohio's constitution, once in twenty years) to elect delegates to a constitutional convention, and in 1912 we organized Ohio's Fourth Constitutional Convention. We submitted some forty-two amendments. I think, though, the most important thing we did, the most important one of the amendments ratified, as our experience since then has proved, was the initiative and referendum section of our new constitution. We had had some experience in Ohio with that principle of government. My city is peculiar among all the cities of America in this at least, that she owns a steam railroad. It is no little dinky railroad either. It is 320 miles long; it runs across two sovereign states of the Union; it has some 17 tunnels; it runs across one of the highest bridges in the world; it is one of the best paying pieces of railroad property in the United States today, and it belongs to my city—all of it, just as much as does the city hall. It was a remarkable example of civic initiative back in the early '70's, when Cincinnati found that

the only avenue for her trade to the south was over the Louisville & Nashville Railroad, and she was the victim of all sorts of rate discrimination. Not having any interstate commerce commission in those days, Cincinnati did the only thing she could do—she bonded herself and built her own railroad into the south. That railroad has been owned by the City of Cincinnati from that day to this. It is not an example of municipal operation. It is an example of municipal ownership. The railroad has been operated under a lease.

A NEW TYPE IN OUR POLITICAL LIFE.

"The Congregational minister, who is president of the Ohio Constitutional Convention, is a new type in our political life. Of the able way in which Herbert S. Bigelow presides over the deliberations of the Constitutional Convention at Columbus, there are no two opinions. His opponents content themselves with asserting that his methods are as 'practical' as those of any professional politician, and that he had at his finger ends the science of manipulating caucuses and packing committees. But it is also on record that Mr. Bigelow has repeatedly left the president's chair and by sheer eloquence from the floor, has overcome hostile majorities."

—The Nation, New York City.

Morgan Attempts to Force Sale

Now, it was in 1896, when the old lease was about to expire, that some men came from Wall Street, representing Mr. Morgan, Andrews and Taylor by name, and told the members of our city council that Mr. Morgan

refused to renew the lease, that they had instructions from their people back in New York not to renew it, but, instead, to buy the road. Well, that came as a surprise to everybody. There had been no suggestion of it, no thought of it. We were all proud that we had a railroad, it was a paying proposition, and nobody was thinking about selling out. Nevertheless, these men who came from Wall Street insisted that that was the only thing they would do—they would buy the road; they would not lease it. They used the old trust argument. They said, "Mr. Morgan owns the railroads to the south; he therefore commands the situation, and can put your road on the scrap-heap if he wants to. So you had better be good and take the price offered." What was the price? The road had cost us \$30,000,000. They offered \$19,000,000 for it.

And I want to tell you something else about that story, that I would not expect you to believe if you did not know that I am a preacher. That is why I told you I was a preacher. These men drafted a contract which fixed the price at \$19,000,000. The contract was to run for one hundred years, and according to the terms of that contract they were not to pay a penny, even, of the \$19,000,000 until the end of one hundred years.

A Funny Joker

Now, what did the members of our city council do with that proposition? They voted to accept it. They signed the contract. You say, "A contract is a contract, if they signed it. How is it you still have the road?" Well, this is the story. In those days the city council could not exercise a power of that sort, under the constitution of

Ohio, without some enabling act passed by the Ohio legislature. So, these gentlemen, after getting the council to go their way, had to go to Columbus to get the enabling act. Now there was a patriot in that legislature who, when the bill was up for passage, slipped a little joker into it. We know that jokers are weasel words—little, wiggly words that mean anything you want them to mean when you get before the court. But this was a funny joker. It was a joker put in not in the interest of the few and the powerful, but in the interest of the plain people of my city, and it was perfectly simple and easily understood. The joker was this: When they got that law out of the legislature they found that it said, "City councils are hereby authorized to sell steam railroads." That was the authority they wanted. So far so good. But here was the joker: "But in no case shall the sale be valid without the consent of the people of the city." Well, they started out to steal a steam railroad, and they found they had to get the consent of the very people from whom they were going to steal it. It would be embarrassing, wouldn't it, for the thief who broke into your home at night to have to wake up the family and get the vote of the family on the question as to whether or not it wanted to be robbed? That was the situation.

But this was in 1896, and we have made lots of political history since then. Politically speaking, that is a long time ago—1896! Those people had more faith in their ability to fool the public in those days than people of their kind would have today. And so they actually called the election, and we all went to the polls—April 14, 1896—to vote on the question as to whether the Cincinnati Southern Railroad should be sold on these terms. Now I

will tell you what the city council did, and what the people of Cincinnati did.

Cincinnati's Reputation

Oh, Mr. Chairman, I have no doubt that away up here you have somewhat the attitude towards Cincinnati that I find so many people in the country have. I think my friend Lincoln Steffens has been responsible for it to some extent. Everybody remembers that article of his, *The Tale of Two Cities*, in which he said that Cleveland under Tom Johnson was the best governed city in the United States, and that Cincinnati was the worst governed city in the United States. That is quite a joke down there.

They tell a story of a traveling man of Cincinnati who spent some time in Gallipolis, an Ohio town, up the Ohio River. Well, it was Saturday morning; he was anxious to get home to his wife and babies in Cincinnati, but he had a customer out in the country that he had not yet seen. It was raining; he didn't want to make the drive through those sticky, muddy roads, and besides he would not be able to catch his train for home. So he determined to use the telephone in the hotel to call his customer up, to transact some business with him if possible, and catch the train back. He used the telephone, transacted the business, and in the hurry of paying his bill he got into a dispute with the landlord over the price of the telephone talk. The landlord wanted to charge him fifty cents, and the traveling man from Cincinnati was mad about it. "Fifty cents! Why," he said, "it was a short talk and it was a short distance!" He stormed around the hotel, abused the landlord, abused everybody. "Why," he said, "in Cincinnati for fifty cents I can telephone

to hell and back." "Oh, well," said the landlord, "that's inside the city limits."

The Council Overruled

I don't think we deserve quite that, because I can see away back there in 1896 the people of Cincinnati had too much civic intelligence to authorize the sale of a thirty million dollar railroad for nineteen million dollars, on one hundred years' time. No. The city council did that, but the people—just the fool people down in the streets, the mob—they vetoed it at the polls. The reason I can stand here and make the boast that my city is the only city in America, the only city in the world, that owns a steam railroad is because there happened to be the referendum clause put in that particular law that made it possible for the people by their direct vote to overrule the council and save that great property—the greatest asset that any city in America possesses.

Well, we remembered experiences like that, and when we organized Ohio's Fourth Constitutional Convention we said to ourselves, "We cannot make a perfect constitution. Constitutions cannot be made—they have to grow. The best thing we can do is to provide an easy means by which people can improve upon our work, that the constitution may grow and develop and adapt itself to the growing needs and experiences of the state. And so we fixed it, so it could grow. We provided a constitution, the best phase of which is its amending clause, by which it could be easily changed as soon as we got through with the job. We provided for the initiative and referendum, applying not only to all acts of the legislature but also to all acts of the city council's, the optional referendum to be used only on such occasions as the people might desire; and also we

provided two ways of amending the constitution—one, by a two-thirds vote of each branch of the legislature submitting the amendments, which, by the way, are to be carried by the vote passed directly upon them, and we removed the obstacle which was in so many of our old constitutions requiring a majority of all votes cast; and also the provision that if a hundred thousand people sign a petition demanding the submission of any constitutional amendment, in any year, on any subject, they can have a vote on that amendment. Four constitutional amendments are being submitted in Ohio at this time; two acts of the State Legislature are being referred to a vote; there are six measures in all on the ballot, and also a measure in Cincinnati, a referendum on an ordinance of the city council.

I. and R. Raises Standard of Citizenship

I was much impressed with what the speaker before me said as to the dependence of the honest and intelligent administrator upon the intelligence of the public. After all he cannot accomplish much, he cannot move very far beyond the intelligence of the people from whom he gets his power and whom he is serving; and I feel that the greatest advantage of this new system in Ohio is that we are getting people in the habit of feeling that the government belongs to them; they are getting the habit of discussing their public affairs. Ten men are taking an interest in public life today where one took an interest before. We are becoming a state of politicians in the best sense of the term, being in close contact with our government, watching our public officials as we have never done before, feeling that we have

the power to say something, and have a more direct voice in government than we have ever had before. That, my friends, is what has raised the standard of citizenship in Ohio; and when you raise the standard of citizenship of the rank and file, you improve the character of your officials as well, because the more intelligent the masses of the people the better can the official do his work.

Now, that is one way in which we thought we were applying religion in the broadest sense to public life; that is, we were finding in endeavors of that sort ways of giving practical expression to the fundamental principles of religion.

Let Him be Your Servant

I would not be at a loss to find a text if I wanted to preach a sermon on the subject of the initiative and referendum. James Russell Lowell said that Jesus was the first great democrat who ever lived. Of course he was using the term democracy in a sense broader than the party sense; he did not mean that if Jesus had been a citizen of the United States in 1904 he would have voted, necessarily, for Mr. Parker for president. He was using it in a broader sense than that. But if one wanted a text for a sermon on the initiative and the referendum he might find it in that great democratic utterance, in those words that came from the lips of him who walked the shores of Galilee, "Ye know that the princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them. But it shall not be so among you; but whosoever will be great among you let him be your minister: and whosoever will be chief among you, let him be your servant: even as the Son of man

came not to be ministered unto, but to minister, and to give his life a ransom for many." "Whosoever would be great among you let him minister to the rest, and whosoever would be chief among you"—in city council, in the city hall, in the state legislature, in congress—"whosoever would be chief among you, let him be your servant." Now that is the new point of view. We are getting away from the idea of dominion and authority and substituting the ideal of service and the ideal of co-operation between the public and the official that is the agent and servant of the public.

Thou Shall Not Steal

Well, it is pretty hard for me as a preacher to preach these days from any of these old texts of ours without getting into politics. For instance, take the text "Thou shalt not steal." Pretty hard, isn't it, for a preacher to preach on that subject today without getting into politics? There are so many different ways of stealing. You men here—of course are not tempted to steal for yourselves. Your temptation is to be quiet while the other fellow steals. Everybody in public life has plenty of experience of that sort. First, I was innocent enough, when president of the Ohio Constitutional Convention, to undertake to save the State some money on public printing. We had a publicity committee. It was up to us to advertise the forty-two amendments that were to be submitted. Well, there was really no law under which it was to be done; and so the plan we devised was to make contracts with the newspaper men all over the state, they to rely upon the next Ohio legislature to make an appropriation to pay them. Of course that was safe. If every news-

paper in the state was interested in the contract, of course the bill would go through, and they were to take the chance. "But," I said, "we will buy this advertising just as a drygoods merchant or a hardware merchant buys it." So I wrote letters to the newspapers all over the state to find the commercial rates, and I was going to give them the contract on those commercial rates. In some of the towns we found that the commercial rate was ten cents a square, but the legal rate was a dollar a square. Sometimes the legal rate fixed for ordinary political advertising was ten times the commercial rate. Well, overnight we had down at that convention such a lobby as you never saw—newspaper men from all over the state. Every member of the constitutional convention expected to be a candidate for congress, or United States senator, or governor, or something of that sort, just as soon as he got out of the convention, and they all felt they had to have the good will of their respective local newspapers. Now, what happened? Well, my schemes of buying advertising for the State of Ohio as a drygoods merchant could buy it went glimmering. The best I could do was to make a compromise with those newspapers and get the advertising for half the legal rate, and by that deal we saved the State \$60,000 that year, in that advertising bill. But while I saved the State \$60,000 in that bill, I made enemies of most of the newspaper men in the State of Ohio. The State has forgotten that it saved the money, but the newspaper men have not forgotten that they did not get as much for their advertising that year as they might.

That is the experience we all have of course. It is an old, old story to you. How easy it is to impose upon

the State, and how little credit one gets for protecting the public interest, and at what a sacrifice the work of protecting the public interest is done!

Thief Reduces Purchasing Power

"Thou shalt not steal." We are learning that that takes us directly into politics in the bigger sense, because there are so many different ways of stealing today. I might illustrate it. For instance, here is a woman that takes her husband's wages on Saturday night and goes down to the market place to buy some provisions and pay some bills and lay in some supplies for over Sunday. On the way down she is jostled in the crowd; she does not think much about it at the time, but when she gets to the store she finds she has been robbed. She had two purses, with a five-dollar bill in each, and one of the purses has been stolen. Evidently a pickpocket has relieved her of one of her purses. Therefore, in the marketplace—having but one marketplace instead of two—she can buy only half as much as she could if the thief had not relieved her of one of her purses. Now, the thief really reduced her purchasing power. That is the only objection we have to thieves—they reduce our purchasing power.

Respectable Thieves

Take another instance. This same woman goes down town again with the same amount of money. She doesn't encounter any little pick-pocket on the way down, but when she gets there she finds she has to buy her goods in a market controlled by a few men who so use their power in the commercial world that those who buy must buy at the prices fixed by them. They use this power selfishly to double the cost of everything that that woman must

spend her money for. They do not take her money in the same way that the pick-pocket did. They double the cost of the goods she must purchase. What have they done? They, too, have reduced her purchasing power. You see there are two ways of doing it. One is to take some of your money, as the pick-pocket did; the other is to control the price and increase the price of the goods. But there is quite a different attitude on the part of the public towards those two persons. If they can catch the sneaking little pick-pocket who relieved the woman of one of her purses, and thereby reduced her purchasing power, they lock him up. But they don't call the other fellow a thief. That would not be polite. If the other fellow lives in our community we let him join our exclusive clubs, we let him pass the plate at church, and if his wife calls on our wives we will keep her card on top of the card-tray for weeks, just to let everybody know we are on social terms with one of the respectable thieves of the community.

Loafing on the Job

Or take this other text, "If a man will not work, neither should he eat." I suppose a mayor and a preacher are alike in this—that their great besetting sin is laziness; they can loaf on the job if they want to. I know an office in the State of Ohio in which there are eight men. The elected official has appointed his father to a place in that office, and to my knowledge this nice old man simply sits around. He reads the newspaper; he doesn't do a lick of work; he sits up in the State House at Columbus, drawing his salary, and performing absolutely no service. There are eight men including himself in this office, and I am told that one or two good men could easily do the work of

all the others. Now, I have tried to put myself in the position of that man, tried to fancy how I would feel knowing that I was sitting down, warming a chair, drawing a salary from the State, taking the tax-payers' money, and giving no service in return. That is stealing. "If a man will not work neither should he eat."

What a lot of trouble we would make in political life and in business life all through society, if we were really to apply that old text of St. Paul!

The Master Working Man

When Abe Lincoln became president of the United States, he said he had his home paid for and eight thousand dollars in the bank. He said he hoped some day to make it twenty thousand dollars, and he declared that that was all that any man ought to want. But the other day, under this flag for which Lincoln died, there came of age, in New York City, a young man, and on reaching his majority he became the master of a fortune of eighty millions of dollars! "If a man will not work neither should he eat." Colonel Goethels built the Panama Canal for \$15,000 a year. He is the master working man, so they call him, on this continent today. He did the greatest job that has ever been done, and we paid him for that work \$15,000 a year. I figured up the other day how long it would take Colonel Goethels building Panama canals at \$15,000 a year to accumulate such a fortune as young Astor got simply by arriving at the age of twenty-one, and I found, Sir, if we can depend upon the chronology of the Bible, that it would have taken Colonel Goethels, building Panama canals at \$15,000 a year, and assuming he never lost any time, and did not gain any-

thing—he would have had to begun seventy-two years before Noah was born.

Parable of the Prodigal Son

"If a man will not work, neither should he eat." I was speaking one night in the Bowery Mission in New York. I was in town, and they invited me to come down and talk to those miserable wrecks of humanity in the Bowery district. It was their custom to have the Bible read before the address, and I started to turn in the Bible, on the desk of the mission, to the parable of the Prodigal Son, but I could not find it. I thought I knew where it was, but I could not find it, and I became considerably embarrassed, fumbling around there; and finally I had to turn to the superintendent of the Mission and tell him what I was trying to find—that I couldn't find the parable of the Prodigal Son. "Oh," he said, "that isn't in there." "What do you mean?" "Well, you see," he said, "it is this way: we have a different preacher every night, speaking to these men, and every last one of them that comes down here wants to preach to them on the subject of the parable of the Prodigal Son. The boys got sore about it, and they tore it out of the Bible, so the preachers could not get at it."

Nevertheless, I said to them that night, I am going to preach to you one more sermon—and you have got to listen to it—on the subject of the Prodigal Son. Now, I said, I think the reason you men do not like this sermon is because the preachers who come down here and preach to you about it, preach to you the first half of the parable and then their time is up and they have to quit. They don't get to the other half of the parable. I said:

There are two parts in this parable—and there are two parts to my religion, Mr. Chairman—there are two parts in this parable, and one is this: that no matter how far gone a man seems to be, there is always something of the divine left in him, that he is always capable of coming back to himself, as in the case of this young man. Something happened. We are not told what it was. It was a song perhaps, or a picture, an old memory—something happened to call into life again the real manhood that seemed dead. Now that is the business of the church—to speak to these dormant souls of men, to awaken them into a consciousness of their divinity. But what happened now? Take the other part of the parable. When the young man came to himself, what did he do? Well, of course when a man straightens up, the very first thing he has to do is to get a job somewhere, go to work, go to work to earn an honest living. Well, what did he do? He went back there to his father's farm, and his father welcomed him, not as a slave, not as a servant, but as a son.

But, now, suppose the father had been dead when the boy came back, and the older brother had been in full charge of the farm, what chance would that poor boy have had for a job on that farm?

We have these two spirits in the world—there is the spirit of the father, the spirit that looks with pitying eye upon even the weakest and the lowest of God's creatures. Then we have the spirit of the older brother, the spirit to grab, the spirit that seeks for one's self, and has a hard, cruel judgment for the unfortunate.

Monopolizing the Earth

Mr. Wilson's commissioner of cor-

porations made a report to him about a year ago concerning the timber lands of the northwest, setting forth that 1,639 corporations and individuals together hold and own 105,000,000 acres of the best of the timber lands that remain in this country. Take that report of the commissioner—it reads like a speech of Tiberius Gracchus to the Senate of Rome—telling how you can take the Sunset Limited from Portland, Oregon, and you can travel six hundred miles down the coast to San Francisco, past old Mount Shasta, and all the way you can see thirty miles to the right and thirty miles to the left, and almost at no time on the trip able to see anything but the land of one railroad corporation.

We have this spirit of the elder brother, that monopolizes the earth, that locks men out of opportunities, that curtails the freedom and the liberty of their fellows; and then we have this other spirit, the spirit of the father, the spirit that wants to give every boy a chance, the spirit that wants to keep the door of opportunity open that they may come home freely, whenever they will.

Absentee Landlords

I stood in the city of San Antonio one day talking with the agent of the King estate—a single corporation that controls 1,600,000 square acres of the State of Texas—one farm of 1,600,000 acres! Then the agent of this estate, who is a friend of mine, went with me and some other friends, a little group of us, over to the old Alamo Mission House, and there they told the story of the Alamo Mission massacre; how those 87 soldiers got word one day that Santa Anna and his Mexican army were coming, and how Col. Travis explained to the men that probably it

meant sure death to them to stay, but Congress had told them to hold that fort; as for him he was going to stay. Drawing a line on the ground, he said to the men: "Those of you who will stay with me, come to this side of the line, and those of you who want to go, go at once." All the men sprang to his side, save one who was sick and could not move, and he begged the boys to carry him across, too. And so they all took their stand with Col. Travis that day.

Why, as I heard that story it seemed to me that the spirits of Col. Travis and David Crockett would start from those old walls—the story of how, having taken their stand in the old mission house, the Mexicans came, and how they stormed the fort, once, twice, three times, four times—five times they stormed the fort, and the sixth time they scaled the walls; and then there was a scene of bloodshed that nobody lived to tell save an old Indian woman and a little child, for every American soldier lost his life that day in the Alamo fort. As they told me the story it seemed to me I was standing upon sacred ground, ground that had been sanctified by the blood of as brave men as ever fought for freedom. And yet, my friends, while they were telling me that story I was thinking of the other story. I was thinking of one corporation, absentee landlords, owning 1,600,000 acres of land for which these men had died, and I said to myself, "There is a right in this country more sacred than the right of corporations to speculate in the earth and thus rob the boys and the girls of the use of this land for which their fathers died."

Politics offers abundant opportunity for carrying into action the teachings of our religion. I think it is the greatest way of serving God. Inspired poli-

tics, the politics that starts for a redeemed earth, for a larger measure of justice and freedom and brotherhood among men—how are you going to reach these, the weakest and the lowest, save by increasing their freedom and opening the doors of opportunity to them?

I sat in my office the other day. A man came in. The last job that man had was last November. He was a night watchman in a tobacco warehouse, down on the river bottoms of my city. Times were hard, and he lost his job. He was unable to get work, found no work anywhere, save a few days' service on a jury; and because he could not get work they took his sixteen year old boy out of school and put him at the job of driving a grocery wagon for four dollars a week. The only other source of income was the wages of one girl, who was working in a soap factory, pasting labels upon soap boxes. Last winter there were some twenty-five thousand men out of work in my city, and that meant that grocers could not sell as much food as they otherwise would. So it was hard for grocers as well as for the men out of employment. This particular grocer retrenched by taking a clerk out of his store and putting him on the wagon and letting my friend's boy go. So, again, the only support of that family was the wages of one little girl. The man came to me for assistance to pay his rent. I had known him for a long time. He paid rent for eleven years, without missing a month, to one estate, and it was the largest estate in Cincinnati. I wrote him a check for his rent, and then I wrote a letter to the owner of that estate, because the owner of that estate had always been lauded to the skies in the newspapers for some great public charity, and I ex-

plained to the owner how I was a poor preacher and I had to pay this man's rent to him out of my meager resources, and asked him if he would not return the check. But I haven't heard from him yet.

Then the boy went roaming around from one town to another, looking for work. At last he struck the Niles Tool Works in Hamilton. They told him one day there that if he would come back next Monday morning they thought they could put him to work. He came back home, rejoiced that at last he had a job and was going to be able to help sister support the family, and Monday morning bright and early he started for Hamilton. He got out to the Niles Tool Works. They told him they were very sorry, but they could not put him at work that morning, to come back again; they hoped after awhile they could, but not then. The boy's hopes were dashed to the ground—he was so sure he was going to have work. He could not pay his fare back, he jumped on a freight train, slipped under the wheels, his legs were crushed; they picked him up and took him to the Hamilton hospital, where they amputated his legs, and the next morning he died.

I saw the article in the newspaper, but I did not know the boy was my friend's son. The next day my friend came into my office, sat down in a chair, and in a sob he said, "Did you read it? It was my boy—my boy." Then he wanted me to go down to the little tenement house where they had lived all these years, to say something over the boy's coffin. And so I went down. Here was the old mother in the last stages of consumption, barely able to sit up at the funeral; here was the little pale-faced girl whose wages were the only support of that family;

there sat the father, out of a job since last November; and here in the coffin the poor mangled body of the boy, and on the coffin some pitiful flowers that the poor of the neighborhood had brought in.

I tried to think how I would feel if, by some turn of the wheel of fortune, I should find myself sitting in that man's place—for I have a boy and I have a girl. I tried to think how I would feel if the only support of my family was the wages of that one little girl and my only boy were in that coffin, broken and dead because, forsooth, he did not have the price of the railroad fare from Hamilton to Cincinnati.

Oh, my friends, politics—that is the agency through which we are going to bring opportunities to these pitiful ones of the earth; that is the agency through which, if it is ever to be done, we are going to set free these crushed and mangled ones upon whom the burdens of life bear so heavily. It is through politics that we are going to carry out the spirit of that old darky poet—

De massa ob de sheepfol',
Dat guards de sheep fol' bin,
Look out in the gloomerin' meadows,
Whar de long night rain begin—
So he call to de hirelin' shepa'd,
"Is my sheep, is dey all come in?"

Oh den, says de hirelin' shepa'd:
"Dey's some, dey's black and thin.
And some, dey's po' ol' wedda's;
But de res', dey's all brung in.
But de res', dey's all brung in.

Den de mass ob de sheepfol'
Dat guards de sheepfol' bin,
Goes down in de gloomerin' meadows,
Whar de long night rain begin—
So he le' down de ba's ob de sheepfol'.
Callin' sof', "Come in. Come in."
Callin' sof', "Come in. Come in."

Den up t'ro' de gloomerin' meadows,
Tro' de col' night rain and win',
And up t'ro' de gloomerin' rain-paf',
Wha'r de sleet fa' pie'cin' thin,
De po' los' sheep ob de sheepfol',
Dey all comes gadderin' in.
De po' los' sheep ob de sheepfol',
Dey all comes gadderin' in.

My friends, it is through the agency of politics that we must let down the bars and let in all—all the poor lost sheep of the sheepfold.

Vindicating Democracy

I think you men are engaged in a solemn religious work. You are vindicating democracy. You are laying the way for great things to come in honestly administering the affairs of your city. You are proving that democratic government is and may be made a success, and you are preparing the way for the great things that must be undertaken in the future if we are to solve these great new problems that are pressing upon us. In faithfully doing that work you are doing what the Servant in the House did, in that story of Charles Rann Kennedy. You remember the story how the Servant in the House was the great bishop, who had built a wonderful church off in India, and you remember the scene in the play when he tried to explain to the bishop of stocks and bonds what kind of church it was he had built—just the kind of church you are building, my friends—not a church of lumber and brick and stone—a different kind of church. The bishop of stocks and bonds could not understand it. But the Drain Man—the working man in the play—his face lit up with a wonderful light and he comprehended the meaning of the Servant in the House as he proceeded with a description of his church. It is no mere dead pile

of stone and lumber. It is a living thing. "The pillars of it go up like the brawny trunks of heroes: the sweet human flesh of men and women is moulded about its bulwarks, strong, impregnable: the faces of little children laugh out from every corner-stone; the terrible spans and arches of it are the joined hands of comrades; and up in the heights and spaces there are inscribed the numberless musings of all the dreamers of this world. It is yet building—building and built upon. Sometimes the work goes forward in deep darkness; sometimes in blinding light; now beneath the burden of unutterable anguish; now in the tune of a great laughter and heroic shoutings like the cry of thunder. Sometimes, in the silence of the night-time, one may hear the tiny hammerings of comrades at work up in the dome—the comrades that have climbed ahead."

SHORT COURSES FOR MERCHANTS

For the third time, the General Extension Division of the University of Minnesota offers to retail merchants of the state a one-weeks' Merchants' Short Course. In addition to the one-weeks' course from January 24-28, there will be offered a three weeks' intensive course to begin January 31. Indications are that the enrollment will be very heavy.

"The number of cases of pneumonia reported in Chicago during the week ending December 24th, 1915, is nearly five times as great as in the corresponding week of 1914. The present epidemic of influenza is responsible.—Chicago Health Department Bulletin.

Report of Resolutions Committee

WALLACE G. NYE, Mayor of Minneapolis, Chairman
CHARLES P. HALL, City Attorney of Red Wing
S. A. SIVERTS, Jr., City Manager of Morris

Your committee on resolutions respectfully submits for your consideration and action the following report expressive of some of the many sentiments which have been awakened in the minds of those who have had the opportunity of attending this Third Annual Convention of the League of Minnesota municipalities.

Our visit to this splendid City of Virginia, which has grown up in northern Minnesota within the last score of years, has been most interesting, helpful and inspiring. What has been accomplished by this progressive people in the direction of civic improvements and development has been surprising and the utmost pleasing. We have been wonderfully impressed by the splendid school system which has been established, the many miles of substantial pavement which have been laid, the fine public buildings which have been constructed, the useful water, light and sewage facilities which have been provided, and we have nothing in our minds but compliment for the people of the City and their officials who have accomplished so much. We are ready to record the opinion that Virginia, long recognized in this section as the "Queen City of the Range," deserves to be renamed the "Queen City of Minnesota."

This convention desires to express, in so far as language can express, our sense of appreciation for the cordial welcome we have received and the many courtesies extended to us. The officials and the people of Virginia, we are sure, have demonstrated that the Virginia hospitality, so long attributed

to the people of the old South commonwealth of that name, has been transplanted and flourishes with equal vigor in this Virginia of our own state.

Where so many have interested themselves and devoted their time and their energy to make our stay in this city a pleasant one, it is almost unfair to mention individuals, but we do wish to bear testimony to the unqualified success of the efforts of Mayor Boylan and his committee associates in making this convention one long to be remembered by those who have had the opportunity to attend. The League expresses to all, who have been helpful in promoting the success, its warmest thanks and appreciation.

The members of the League in attendance have experienced sincere regret that its President, J. E. Jenks, was unable, by reason of ill health, to be present and preside over our deliberations and desire now to express and record our recognition of his untiring efforts to build up the League during the two years which he has honored it as president, and to express also our most honest hope for his speedy and complete recovery of physical strength.

We desire to compliment the executive committee upon the splendid and most helpful program arranged for this convention. The topics discussed have been timely, the papers read most helpful. We thank them for bringing to us a number of men from outside the state who have delivered messages of a helpful character and especially do we wish to thank them for securing the attendance of Herbert S. Bigelow, who

cheered and inspired us by two splendid addresses.

We desire to express our cordial endorsement of the work of the Municipal Reference Bureau of the General Extension Division of the University of Minnesota. The services it is rendering in gathering and furnishing to Minnesota municipalities special information upon subjects in which they are concerned, and valuable information upon all questions effecting towns and cities, is fully appreciated. Few cities of the state have the means of securing such information to aid them in solving their many problems as are furnished by this Bureau, and this League hereby expresses the confident opinion that the legislature of Minnesota cannot render to the cities and towns of the state, and therefore to the State itself, any better service than by making such appropriations as will permit the enlargement and extension of the scope of the work of the Bureau.

The members of the League express to its secretary and treasurer, Mr. Richard R. Price, and to Mr. G. A. Gesell, the officer in charge of the Municipal Reference Bureau of the University, sincerest thanks for their untiring efforts in behalf of the League and its work. Without their support and without the aid and encouragement which they are able to give by reason of their connection with the University, we are certain this League would have a far more difficult task and one almost impossible of accomplishment.

The value of the work of this League to the cities and towns of Minnesota has been demonstrated in a large measure to those which have become affiliated with it. The League desires the enrollment on its list of membership cities all of the towns and cities of the state, and begs to assure those

not now affiliated that they can best help themselves and aid in the further development of good city conditions in Minnesota by uniting with the League, and thus make it the great power for good, which it would then surely become.

The recommendations contained in the report of the President to the effect that the law commonly known as the Minette Bill be tested in the courts prior to the next meeting of the legislature is a commendable one, and your committee recommends that the incoming executive committee of the League be authorized to proceed to test this law, both regarding its provisions for making physical connections of telephone lines and rates for service.

Your committee recommends that the legislative committee, to be appointed by the incoming president, be authorized and directed to prepare and submit to this League at its next convention bills for acts covering the following subjects: first, the recognition of the League and the granting of the power to municipalities to send delegates to its meetings and pay their expenses; second, the enactment of a provision by which special improvements in cities abutting railroad property may be paid from the gross earnings tax; third, a law providing for uniformity in municipal accounting; fourth, a law granting to cities and towns authority to adopt and carry out city planning.

Your committee recommends that authority be given to the executive committee to arrange for one or more district meetings during the coming year, to be held in such localities as the committee may select, such district meetings to be carried on without cost to the general fund of the League.

Central Station Heating in Minnesota

The information on this subject was collected by the Municipal Reference Bureau. John V. Martenis, Professor of Heating and Ventilation, University of Minnesota, prepared the questionnaire and tabulated the data.

The returns from the questionnaire on district heating have been partly tabulated and only those items of general interest have been included.

An inspection of the various items should furnish a basis for study to any one interested in district heating.

Of the thirteen plants listed, seven are municipal and six are privately owned.

The source of heat is primarily the exhaust steam from the power units in the plant, although live steam is used to make up any deficiency of the exhaust steam supply. This condition will occur in any plant where the heating load is based on the average power load. The amount of radiation per boiler horse power varies from 30 square feet to 90 square feet; the latter amount appears to correspond more nearly to average operating conditions.

The heating system used in most cases is direct steam, which is cheaper to install than hot water, although the latter has been satisfactorily installed in other states.

The distance which it is necessary to carry the heat is an important factor in any installation because the cost and the line losses will depend upon it.

With the exception of one plant, the pressure carried in the mains is low and the service pressure does not exceed five pounds gage.

The charges for service vary from 35 cents to 85 cents per 1,000 pounds of

condensation. The rate decreases uniformly as the amount of heat used increases.

The private plant rates are somewhat higher than those of municipal plants, but not excessive in any case.

SUPREME COURT CRITICIZED.

"Judicial hostility toward experiment and innovation is not often as flagrantly exhibited as it was in a recent decision by the Supreme Court of Minnesota, invalidating the system known as "preferential voting," as unconstitutional. Preferential voting is a relatively new form of balloting, designed by the registering of second and third choices to insure the election of those whom a majority, instead of a mere plurality, favor. Though still frankly in the experimental stage, it is yet a hopeful experiment and one that time only can test. Yet the Supreme Court of Minnesota has found a principle which makes this experiment impossible without constitutional amendment. By a process of metaphysical refinement, the right to vote is construed into the right of one citizen to cast only one vote for one office, and to have every other citizen do no more. At about the same time the Supreme Court of New Jersey, dealing with the same system under a similar constitutional clause, reached the opposite conclusion. It is a contrast of Eastern common sense and Western legal subtlety."—The New Republic.

CENTRAL STATION HEATING IN MINNESOTA

City or Town	Population	Plant Property	Heat Source	Boiler: H. P.	Heating System	Amount Radiation	Distance Carried	Pressure in Mains	Charges
Alexandria	3,001	Municipal	Live Steam	300	Direct	not given	6 Blocks		
Crookston	7,559	Private	Exhaust and Live Steam	625	Steam	not given	½ mile	5 lbs.	60c per 1,000 lbs.
Detroit	2,807	Municipal	Exhaust and Live Steam	3-66x16 300	Direct	26,000 sq. ft.	not given	5-6 lbs.	not given 40c per 1,000 lbs.
Glenwood	2,161	Private	Exhaust and Live Steam	1-78x20 1-72x18 350	Steam	not given	700'	4-5 lbs.	45-55c per 1,000 lbs.
Hibbing		Municipal	Exhaust Steam		Direct and Direct	1,600 Direct 1,300 Indirect	700' to 1,200'	3½ lbs.	42c sq. ft. Rad. or 60c per 1,000 lbs.
Jordan	151	Private	Exhaust and Live Steam	2-54x14 1-72x18 270	Direct	14,000 sq. ft.	3 Blocks	3-8 lbs.	6-9 oz. 1,000 lbs.
Litchfield	2,333	Municipal	Exhaust and Live Steam	72x18 300	Steam	27,000 sq. ft.	700' to 1,200' to end	3-5 lbs.	3 40-50c per 1,000 lbs.
Long Prairie	1,250	Municipal	Exhaust Live on Sunday	1-54x14 1-72x16 185	Steam		360'	1½ lbs.	1½ \$4.00 mo. min. 35c per 1,000 lbs.
Mapleton	809	Private	Live Steam	120	Direct		250'		
St. Paul	214,744	Private	Exhaust Economizer	6000	Direct Indirect Vacuum	700,000 Direct 10,000 Indirect	Varies	3-8 lbs.	3 54-81c per 1,000 lbs.
St. Paul	214,744	Private	Live Steam		Direct Indirect	100,000	2,000'	140 lbs.	5 lbs. 54c per 1,000 lbs.
Staples	2,558	Municipal	Exhaust and Live Steam	275	Steam		1,800'	3-5 lbs.	3 40c per 1,000 lbs.
Virginia	10,473	Steam Purchased	Exhaust Steam	600	Direct Steam	17,910	1 Block	3 lbs.	3 lbs. 25c per sq. ft. Rad.

The Virginia Sewage Disposal Plant

FREDERIC H. BASS, Professor of Municipal Engineering, University of Minnesota

The municipal improvements of the City of Virginia are perhaps the most complete of any city in Minnesota. Among these the sewage disposal plant is the most recent to be put in service.

The city has two sewer systems, one for disposing the storm water and one for the house sewage. The storm sewer outlet is six feet in diameter and discharges into a ditch leading to a

finished in December, 1915, and immediately put into operation.

The plant consists of several separate units. The sewage flows from the outlet pipe to a pump-chamber where it is elevated about 16 feet to an Imhoff tank, through which it flows to a dosing or flushing chamber. In the dosing chamber there is a 20 inch automatic siphon which at intervals of from eight to sixteen minutes doses the



General View, Imhoff Tank in Background

small lake about three miles south of the city. The house sewer outlet is a 20 inch pipe leading to the same ditch. The house sewage was the source of considerable nuisance to property owners along the ditch and on the shores of the lake, and the many complaints entered induced the city council to order the construction of a sewage-disposal plant.

The plant was designed in the summer of 1914, the contract let in November of the same year. The plant was

contents of the dosing chamber onto the filter. The sewage from the dosing chamber is sprayed over the surface of the filter, which is of broken stone. After percolating downward through the filter, the sewage passes to a second settling tank, from which it flows into the ditch.

Pumping Station

As the sewage enters the pump-pit it passes through a screen, made of 2 inch by $\frac{1}{2}$ inch bars, placed $1\frac{1}{2}$ inches, center to center. The screened sewage

is pumped to the Imhoff tanks by two vertical submerged 8 inch Platt Iron Works vertical centrifugal pumps, operated by 15 H. P. motors. These pumps are automatically controlled by float switches. Ordinarily one pump will handle all of the sewage.

Imhoff Tank

The Imhoff tank consists of a V-shaped upper chamber through which the sewage flows, and a lower chamber connected with the upper by two slats at the bottom of the V. The solids of the sewage which settle, pass through these slats and accumulate as sludge in the lower chamber. The tank consists of two adjacent 30 foot vertical concrete cylinders, the upper chamber being continuous across the two. The tank is 63 feet 10 inches long by 31 feet 6 inches wide.

Dosing Chamber

The dosing chamber is 24 feet by 16 feet by 7 feet 10 inches deep. It is



Placing Re-enforcement in Imhoff Tank



The Upper Compartment of the Imhoff Tank

so constructed and connected to the tank that the flow in the tank may be reversed in direction, thus depositing sludge in each of the two cylinders equally. The 20 inch automatic siphon empties this chamber in about four minutes. After emptying, the chamber gradually fills at a rate depending upon the amount of sewage flowing. The high-water level in the chamber is 7 feet 6 inches above the surface of the filter.

Perculating Filter

The filter body consists of broken stone not less than 1 inch nor more than $2\frac{1}{2}$ inches in diameter. In constructing the filter a 6 inch concrete floor was first laid, sloping from the sides to a central channel. On this floor were laid, close together, 6 inch half-round vitrified pipe, laid at right angles to the central drain and opening into it.

The sewage is led from the dosing

chamber by a system of cast-iron pipes to the filter. These pipes laid just below the surface of the filter are tapped at intervals of 11 feet and sprinkling nozzles attached at these openings. The nozzles throw a spray, spreading the sewage as evenly as possible over the surface of the stone. As the sewage passes downward through the stone, the fine solids passing the tank are to a great extent caught on the surfaces of the stone and there mineralized. Gradually the stones become coated over with this material which at intervals disengages itself and passes into

tached from the filter. It is built of concrete and is 50 feet by 25 feet by an average depth of about 10 feet. The filtered and settled sewage then flows over a weir to the ditch.

Sludge Beds

The sludge collecting in the Imhoff tank is, from time to time in the warmer months, taken out onto a specially prepared sludge bed 80 feet by 60 feet and about 2 feet deep. This bed is of broken stone covered by 3 inches of sand. The sludge drains quickly and dries in about 3 days so that it can be



PERCOLATING FILTER

the underdrains to the central drain and into the settling tank beyond the filter.

The filter is 210 feet, 10 inches by 118 feet with an average depth of about $7\frac{1}{2}$ feet. It is roofed over to prevent freezing in the extreme cold of the winter.

Resettling Tank

The resettling tank receives the filtered sewage and collects the films de-

shoveled and removed. It is practically odorless and may be used for filling or for enriching poor soil. There is also a similar but smaller sludge bed to take the sludge from the resettling tank.

Construction and Cost

The plant which has a capacity of a little over 1,000,000 gallons per day cost approximately \$80,000. It was built under contract by the Lawrence

McCann Co., of Eveleth, Minnesota. The city engineer, Mr. E. F. Johnson, was in general charge and Mr. Robt. Faucett was resident engineer.

The city council has decided to employ an operator who will devote practically all of his time to keeping the plant in first-class condition. It is probable that the site will be parked and an operator's cottage built next summer. A sewage disposal plant will not operate itself and the wise decision of the city council will undoubtedly keep this plant in such condition that other municipalities may look to it as a model.

"The total number of deaths in Minnesota last year (1914) was 25,045; of these 11,078 or 44 per cent fall distinctly in preventable groups."—Dr. I. J. Murphy, Minnesota Public Health Association.

NAPOLEON'S TRIBUTE TO CITY FATHERS

"In one of Napoleon's great campaigns, when his soldiers had captured a little town, the burgomaster strutted around in great consternation and was made the butt of ridicule by the soldiers. When Napoleon's attention was called to this he took his soldiers aside and chided them, and told them to treat the burgomaster of that little village with the greatest respect, and said to them, "Gentlemen, I would rather be the burgomaster of this little village than the second in command of this, the greatest army the world has ever seen."—From Hon. M. H. McMahon's Address of Welcome on Behalf of the Citizens of Virginia.

Committees for 1916

Pursuant to the provisions of the constitution President J. N. Nichol森 has made the following committee appointments:

Legislation

J. E. Jenks, City Attorney, St. Cloud.
E. D. Buffington, City Attorney, Stillwater.

G. A. Gesell, University of Minnesota, Minneapolis.

C. P. Hall, City Attorney, Red Wing.

O. H. O'Neill, Corporation Counsel, St. Paul.

Arthur Schaub, City Attorney, Mankato.

Street Paving

O. F. Weissgerber, City Engineer, Austin.

J. A. Farrell, Commissioner of Public Works, Duluth.

H. L. Miller, Councilman, Winona.

Taxation and Assessments

P. J. Seberger, Mayor, St. Cloud.

J. M. Aretz, City Clerk, Chaska.

A. E. Bickford, City Clerk, Virginia.

Judicial Decisions

J. O. Peterson, City Attorney, Albert Lea.

V. E. Anderson, Mayor, Wheaton.

John Dwan, City Attorney, Two Harbors.

Franchises and Public Utilities

John T. Kean, Councilman, Minneapolis.

L. Merritt, Commissioner Public Utilities, Duluth.

J. G. Sieben, Mayor, Hastings.

Municipal Accounting

C. L. Rotzel, University of Minnesota, Minneapolis.

A. E. Fritz, Public Examiner, St. Paul.

George Gross, Water and Light Department, Duluth.

Municipal Ownership

E. J. Bestick, City Clerk, Detroit.

E. N. Kramer, City Clerk, Minnesota Lake.

E. O. Middleton, City Attorney, Baudette.

Parks, Play Grounds and City**Planning**

L. R. Moyer, President of Council, Montevideo.

Otto Davis, Civic and Commerce Association, Minneapolis.

P. O. Holland, Councilman, Northfield.

Public Health

Geo. F. Swinnerton, County Physician, International Falls.

I. J. Murphy, Public Health Association, St. Paul.

S. H. Olson, Mayor, Milaca.

Public Safety

W. I. Prince, Mayor, Duluth.

H. McColl, Commissioner of Public Safety, St. Paul.

Victor Power, Mayor, Hibbing.

Charters

William A. Schaper, University of Minnesota, Minneapolis.

L. L. Kells, City Attorney, Sauk Center.

S. A. Siverts, Jr., City Manager, Morris.

Membership

Oscar Seebach, Mayor, Red Wing.

H. A. Rowberg, City Attorney, Thief River Falls.

Jacob Saari, Mayor, Eveleth.

Street Lighting

A. D. Heritage, Vice President, Virginia.

Wm. Bottomley, Mayor, Winnebago.

A. Olson, Gas Superintendent, West Minneapolis.

Sewerage and Sanitation

Oscar Clausen, Consulting Engineer, St. Paul.

F. H. Bass, University of Minnesota, Minneapolis.

F. Lonergan, Councilman, White Bear.

Water Works

August F. Tillmans, Mayor, Aurora.

A. J. Mueller, Water and Light Superintendent, New Ulm.

A. P. Ortquist, Councilman, Minneapolis.

Our Next Issue

**The Need of a Constitutional
Convention in Minnesota**

**Municipal Ownership De-
bate**

**Report of the Committee on
Paving**

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Information Department

Conducted by the Municipal Reference Bureau University Extension Service,
G. A. Gesell, Secretary

Questions of general municipal interest that are referred to the Bureau will be answered in this column

STREET OILING

Question. We are considering the advisability of oiling our streets. Can you give us information of the types of oils used, the cost, the time the oil should be laid, and the methods of spreading the oil?

Answer. The use of oil for dust prevention has been practised with success for a number of years, but an oiled road cannot be expected to give the service that will be given by a pavement, such as concrete, brick or wood-block.

Oil may be used on various natural soils, but it may be most advantageously used with gravel. The oil increases the wearing value of the road by cementing the finer earth particles together. It also acts to prevent water from penetrating the road surface and thus making mud.

Any road or street surface requires first of all, good drainage; after that the maintenance of a smooth, hard surface is of most importance. All roads need maintenance, which means the repair of the beginnings of disintegration caused by the travel and the weather; little ruts and hollows should be smoothed out as soon as formed.

In preparing a road for oiling, it is very necessary that the surface of the road be smoothly graded and compacted, and in some cases broomed or at least scraped free from dust. The idea is to allow the oil to be spread as evenly as possible and have it penetrate the surface to a depth of several

inches. If there are depressions or uneven places in the road the oil will gather in them and run off of the high spots and if there is dust on the surface, the penetration of the oil will be hindered. The late spring or early summer is the best time to apply the oil as the road may then be best put in condition.

Oils are of various compositions and consistencies and in themselves have generally little binding power. For use on roads asphalt is mixed in the oil to the extent of 40% to 50% of the total quantity and it is the asphalt which does the work. Thin oils may be put on cold, but generally a moderately heavy oil, heated to 180 degrees F. is best. The amount of oil used varies with the character of the oil used, its temperature and the character of the road surface. Several applications in each season are advisable; more oil is used on the first application, often as much as $\frac{1}{2}$ gallon per square yard of road surface. Later applications may be as light as 1-6 gallon of oil per square yard.

Road oils cost approximately 4 cents per gallon and the cost of application is usually about 4 cents per square yard. The cost, using 1-3 gallon of oil per square yard, would therefore be about 5 1-3 cents. The oil may be applied by using an ordinary watering-cart with a manifold pipe distributor with a splash-board. Special carts are also on the market.

If possible it is desirable to keep travel off the oiled streets for one day

then to cover the surface very lightly with sand. Dust should not be used. Before oiling it is desirable to cover crosswalks with sand which with the oil may be immediately brushed off.

VISITING NURSES.

Question. We are considering the possibility of securing a visiting nurse and would like to know what the other towns of Minnesota have done along this line.

Answer. In answer to your letter of Jan. 9th I am giving you the experiences that several Minnesota municipalities have had with visiting nurses. The statements, with one exception, are from local health officers.

Mankato. "We are very glad to have a visiting nurse and do not want to be without one. The women of the Civic League started the movement and the money was raised by tag day contributions. We employed only nurses who had visiting nurse experience and paid \$75 per month the first year. While the nurse did good work as a visiting nurse only, it seemed as though she might accomplish still more good if she went into the schools and did some work there by following the cases needing attention into the homes and urging parents to have necessary measures taken to relieve such cases as adenoids, large tonsils and eye strain. This part of the work is just starting and has the moral but not financial support of the school board. Her activities are supervised by a board of representatives of the various charitable organizations of the city and the city health officer."

Austin. "We have tried the visiting nurse problem and as such we are not convinced that she is worth the expense. However, we do believe that

a school nurse, who in a measure covers much of the work of the former, especially from the educational standpoint, is a very valuable municipal employee."

Virginia. "Our nurse works in conjunction with the Associated Charities, the school and the city physicians. She visits and investigates all families applying for aid, assists in the care of all school children seen by the school physician, who are unable to pay for medical attention. She will also instruct tuberculosis patients in necessary precautions and care of themselves. We are also going to have her investigate all the births reported from the poor and especially the foreign people, instructing them in the toilet, feeding and hygiene of the infant."

Albert Lea. "We have been bothered here with epidemics and find the visiting nurse of material assistance in meeting these situations. Our nurse is giving considerable attention to general health matters in the public schools."

Cloquet. "We do not have a visiting nurse but the Board of Education employs a woman physician who visits the schools and, in case of absence of pupils, functionates as truant officer to discover sickness and reports her findings to the health officer and Board of Education through its Superintendent.

As far as it goes, the idea is a good one but it does not go far enough; she does not attempt to do nursing at all and does not treat disease other than to apply remedies for pediculosis capitis and corporis and other such simple matters.

I, in common here with other physicians, believe in the efficacy of a school nurse or visiting nurse and would rather that she did not confine her activities to children alone.

There are many poor people here who are sick and in need of skillful nursing. They get their medical attention free, when they cannot pay, but are forced to do without necessary nursing."

Rochester. The Civic League, an organization of women, hired a visiting nurse five years ago to act as city and school nurse. The nurse attends all needy persons who are financially unable to secure medical aid. She teaches mothers how to care for their babies, how to sew and other sanitary measures she is able to impress upon them.

We have a whole time health officer employed by the League and the city, who looks after the general health conditions of the city and has charge of the medical inspection of the schools. The nurse assists in the latter work and she sees that defective children are taken to a physician or dentist for proper treatment. Our schools have never been in such a healthy condition as at present. The visiting nurse is one of Rochester's greatest blessings and we never have any trouble raising money for her."—Mrs. George J. Allen.

Saloon Licenses

Question. Some of our citizens are contemplating a movement which will result in raising our saloon license from \$500 to \$1,000 per year, and I am writing to ask whether your office has a record showing the license fees charged by municipalities of this state.

Answer. I am enclosing for your consideration a list of cities that license saloons; the fees charged and the number of saloons operating in these municipalities.

Municipality	No. of License	
	Saloons	Fee
Albert Lea	13	\$1,200
Alexandria	4	1,250
Aurora	14	500
Biwabik	13	500
Browns Valley	3	1,500
Caledonia		1,000
Chaska	8	500
Chisholm	38	500
Crookston	17	750
Duluth	170	1,000
Ely	20	500
Eveleth	30	500
Faribault	15	1,000
Gilbert	19	500
Hastings	15	500
International Falls	13	1,000
Janesville	4	750
Jordan	7	500
Lake City	9	1,000
Le Sueur	7	600
Little Falls	17	1,000
Mankato	27	1,000
Melrose	6	1,000
Minneapolis	395	\$1,000
Montgomery		500
New Ulm	25	500
North St. Paul	4	500
Pine City	8	750
Rochester	15	1,000
St. Charles	7	700
St. Cloud		1,000
St. Louis Park	3	800
St. Peter	6	800
Sauk Center		1,200
Sauk Rapids	7	500
So. St. Paul	18	1,000
Stillwater	20	1,000
Virginia	48	1,000
Wabasha	9	500
Waterville	4	850
Wells	4	1,500
West Minneapolis	10	1,000
White Bear Lake	4	1,000
Winona	47	1,000
Winthrop	4	900

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Biwabik	13	500
Browns Valley	3	1,500
Caledonia		1,000
Chaska	8	500
Chisholm	38	500
Crookston	17	750
Duluth	170	1,000
Ely	20	500
Eveleth	30	500
Faribault	15	1,000
Gilbert	19	500
Hastings	15	500
International Falls	13	1,000
Janesville	4	750
Jordan	7	500
Lake City	9	1,000
Le Sueur	7	600
Little Falls	17	1,000
Mankato	27	1,000
Melrose	6	1,000
Minneapolis	395	\$1,000
Montgomery		500
New Ulm	25	500
North St. Paul	4	500
Pine City	8	750
Rochester	15	1,000
St. Charles	7	700
St. Cloud		1,000
St. Louis Park	3	800
St. Peter	6	800
Sauk Center		1,200
Sauk Rapids	7	500
So. St. Paul	18	1,000
Stillwater	20	1,000
Virginia	48	1,000
Wabasha	9	500
Waterville	4	850
Wells	4	1,500
West Minneapolis	10	1,000
White Bear Lake	4	1,000
Winona	47	1,000
Winthrop	4	900

The League of Minnesota Municipalities

Organized August 21, 1913

Officers

J. N. MICHOLSEN <i>Civil Engineer at St. Paul</i>	President
MICHAEL BOYLAN <i>Mayor of Virginia</i>	Vice-President
RICHARD E. PERCE <i>Director, Department of Commerce, University of Minnesota</i>	Secretary-Treasurer
G. A. GESELL <i>Secretary Municipal Relations Bureau, University of Minnesota</i>	Executive Secretary

Flunkies

J. E. JONES <i>City Attorney of St. Paul</i>	WALLACE G. NYE <i>Mayor of Minneapolis</i>	WILLIAM POWERS <i>Mayor of St. Paul</i>
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Purposes of the League

To perpetuate and develop the League as an agency for the exchange of ideas among cities and villages by the practical study of city and village affairs.

To promote the application of the best methods in all branches of municipal service by holding at least one convention annually for the discussion of problems in municipal administration and by circulating information and experience thereon.

To accept donations which would be beneficial to the municipalities of the state and the citizens thereof, and to impose regulations thereon.

Dues and Rates

The dues and rates for 1914-15 are as follows:

Less than 500 population	\$ 5.00
500 to 1,000	10.00
1,000 to 5,000	15.00
5,000 to 10,000	20.00
10,000 to 25,000	25.00
25,000 to 50,000	35.00
Over 50,000	45.00

The League Headquarters are at the University of Minnesota, St. Paul, Minn.

MINNESOTA MUNICIPALITIES

Devoted to Municipal Progress in Minnesota

VOL. 1,

APRIL, 1916

No. 2

Special Articles

*The Need of a Constitutional Convention
In Minnesota*

Report of the Paving Committee

A Resurrected Commercial Club

Public Water Supplies and Fire Protection

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Table of Contents

Editorials—

The Tax Dollar's Destination - - - - - 3

The Delays of Regulation - - - - - 7

The Need of a Constitutional Convention in Minnesota - - - - - 11

Minnesota Sewer Tank Compressor - - - - - 14

Forms of Contracts for Road Work - - - - - 18

Report of the Pricing Committee - - - - - 19

Discussion - - - - - 23

A Respected Commercial Club - - - - - 29

Information Department—

Garbage Disposal - - - - - 31

Electric Cooking and Heating Rates - - - - - 33

Taxation of Railroad Properties - - - - - 35

Public Water Supplies and Fire Protection - - - - - 36

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NUMBER 2

The Tax Dollar's Destination

If the annual report of a private business concern showed only a chronological tabulation of receipts and disbursements, it might balance with mathematical accuracy and yet be worth very little to managers and directors and stockholders wishing to find which departments of the concern might be made more profitable and less expensive. For without information one unsuspected losing department might eat up the earnings of other profitable ones, and the circumstances continue unnoticed and uncorrected from year to year. No investor would care to risk his capital in such an enterprise until the accounting system were corrected.

Now this investor is usually a civic stockholder in a public corporation, the city, which pays him no money dividends and which assesses upon him in the form of taxes a part of the cost of the services it renders its citizens. He generally has a hazy feeling that taxes are exorbitant, and that the city needs a program of retrenchment. Yet all too often he accepts a city financial report which gives him little more than gross receipts and disbursements. If the report groups the expenditures by functions it may be filled with so much irrelevant detail that he really does not know what the particular services cost and in which departments the expenditures are liberal and susceptible of reduction. So he upbraids the city officers in general for extravagance.

The city officers justify the high taxes by citing that the city renders services of so great a variety and extent today that it is necessarily costly, but their arguments often fail to persuade the taxpayers, because the report backing them up is not made definite enough. To the ordinary citizen, the annual report is Greek, a hopeless jumbling of detail. What is needed is some graphic method, some simple, clear device for presenting to this citizen precisely what his

money is spent for, department by department, service by service, without requiring him to labor through masses of undigested figures.

The statistician to the comptroller's office of Minneapolis, Mr. H. Arthur Stuart, has struck upon such a happy device, in the chart we reproduce on another page. It is simple to comprehend, and as easy to prepare, if the accounts have been properly kept. It presents a vivid and accurate survey of the activities of the city and of their cost. Any taxpayer can compute in a moment precisely what he pays toward each service his city renders. Then if he thinks taxes too high, he can make his criticism definite by demanding the curtailment or abandonment of the particular services he is willing to give up. Ill spirit and lack of information lose their power to mislead, and sane, constructive criticism and suggestion become possible and potent instead.

The Delays of Regulation

Public control of public utilities must be prompt and sure, if it is to be effective. Whether it should be exercised by local or by state authorities should be determined largely by comparing the promptitude and certainty with which these authorities perform their functions. So rapid has been the development of our public utilities, so imperative therefore the need of establishing a public control which has appeared difficult of attainment by the ordinary processes of the existing governments, that many states have created commissions and vested them, so far as constitutions would permit, with summary powers of interfering and regulating to protect the public in its life, liberty and pocket-book. But for the need of expedition in handling the matters turned over to the commissions, the ordinary course of enforcement of laws by the executive and judiciary might have been followed. To secure this expedition the commissions were given extraordinary powers, executive and judicial, subject in varying degrees to review by the superior courts.

Whether it is from dread of reversal by the courts or from excessive judicial temperament among the men appointed to the commissions, or from some hindrances inherent in the business entrusted to them, the commissions are steadily slacking in expedition, lapsing into delays which materially lessen their usefulness. A case in point appears in a recent decision of the First District Public Service Commission of New York, emphasized by a vigorous dissent from one Commissioner.

It appears from the record in this case that almost a decade ago the Commission set about finding means to diminish "the appalling loss of life upon the streets of New York," and to that end unanimously adopted an order in 1909, directing that upon certain lines in the city fenders and wheelguards be used upon the street cars.

Following this order, Commissioner Hayward protests there began a series of hearings and rehearings, applications, conferences, both official and unofficial,

negotiations, charges and admissions, and acceptances and refusals by the companies, carried on at such great length as to be almost unbelievable unless the same appeared clearly in the records of the Commission.

"Repeatedly the Commission **unanimously** held that the claims of the companies seeking to evade this order were without merit * * * but for six long years these companies have been able by one means or another to make the action of the Commission futile so far as fenders were concerned, until the whole proceeding appears more like child's play or a mock trial than the proceedings of a great Commission, clothed with the most extraordinary powers to enforce its orders. * * * In the six long years that have elapsed, 1,300 pages of testimony have been taken and proceedings have been had in this case on ninety-seven separate days. Commissioners have come and commissioners have gone but the fender case seems to run on forever. The personnel of the Commission has entirely changed and ten commissioners have solemnly considered this question. Since the original hearings closed, three presidents have sat in the White House in Washington and six Governors have presided over the destinies of the State at Albany. * * * Flying machines, then a dream, have been invented and put to practical use, and both poles of the earth have been discovered. * * * Still the fenders ordered by the Commission have not been supplied by the companies involved in this proceedings."

Mr. Hayward's feeling about this case were very definite:

"After the language previously used by this Commission, I can hardly be accused of extravagance of expression if I say it appears to me that this is a plain case of a contest between human greed and human safety, in which so far at least, human greed has all the best of it."

"In my opinion, the order should not be rescinded, but should be modernized and such parts of it as are obsolete and inconsistent with present conditions of congestion on certain streets included in the order, modified to suit the present need." (Re Fenders and Wheelguards. (Case 1048 V. I. P. S. C. R. 1st Dist. N. Y. 225 ff.)

Yet the order was rescinded, and so the case closed in a victory for the obstructive companies, and in the abandonment of its earlier position by the Commission. One is moved to wonder, if Commissioner Hayward's opinion had prevailed, how long it would have taken to modernize the order, and how much longer the companies would have been able to obstruct the execution of the order he desired. It is such cases as this recurring with increasing frequency that diminish the ardor of even the most enthusiastic advocate of State Control. If prolonged and successful obstruction is possible before the commissions, the warrant for their existence almost vanishes, and greatly weakens the arguments for establishing such commissions in states that do not yet have them.

A Spring Hint

The Old Farmers Almanac says that warm weather is due. If this is true it is about time for cities and citizens to prepare to clean up their front yards and backyards, to dispose of the winter's accumulation of dirt, rubbish, garbage and ashes. The city-fathers who would make their city attractive and healthful should reflect upon the wise prediction of the Almanac.

The Need of a Constitutional Convention in Minnesota*

By WILLIAM A. SCHAPER,

Professor of Political Science, University of Minnesota

It is the purpose of this paper to bring our constitutional problem to your attention and to explain the nature of the difficulty and how it has come about.

Constitution Requires Overhauling

The constitution of this state was drafted by the hardy pioneers, who laid the enduring foundations of this commonwealth, fifty-eight years ago. A special census, taken in 1858, found a total of only 150,037 persons within our borders. The state, according to the last census, has a population of 2,075,708. In place of a struggling outpost on the frontier with only crude beginnings in agriculture and lumbering, Minnesota is today a great developed state with complex social, industrial, municipal and state problems to solve. A constitution formulated by a frontier community of 150,000 people, cannot be expected to adequately serve the needs of this commonwealth now and for the next fifty years to come, even with numerous amendments to separate sections. Our constitution requires a general overhauling, a systematic revision which only a convention, expressly elected for the purpose, can undertake. Certainly, the legislature in its biennial scramble of ninety days cannot hope to work out the problem of proposing the required alterations, nor can we expect the voters to pass upon such constitutional changes, with any hope of success, so long as the present method of counting the vote on amendments prevails. This is what I hope to make clear.

Some Interesting History

The present constitution of Minne-

sota was drafted by a constitutional convention elected by the voters of the territory in pursuance of an enabling act passed by Congress on February 26, 1857. The act provided: "That on the first Monday in June next, the legal voters in each Representative District, then existing within the limits of the proposed State, are hereby authorized to elect two Delegates for each Representative to which said District may be entitled, according to the apportionment for Representatives to the Territorial Legislature." This language was ambiguous because there were two branches of the territorial legislature, made up of thirty-four "representatives" and twenty "councillors," respectively. The territorial legislature in the act calling the convention provided that two delegates be elected in each representative district and two also for each council district, making 108 members instead of 68. At the election only a few districts distinguished the "representative" delegates from the "councillor" delegates. In the St. Anthony district, the canvassing officer took advantage of this irregularity and issued certificates of election to the Republican candidates, who had fewer votes than their Democratic opponents, on the ground that the Democratic ballots did not designate the two kinds of delegates. The two parties were evenly matched. Both set out to capture the organization of the constitutional convention. The hour for the meeting of the convention had not been stated in the act. The Republican delegates, not to be caught napping, assembled on

Sunday night preceding the second Monday in July, set for the meeting and waited for the Democrats to appear, when it was anticipated, the struggle for the control of the organization would be precipitated. It was 12 o'clock Monday noon, July 13th, when the Democratic delegates filed into the Assembly chamber of the territorial capitol in St. Paul, where they found the Republicans in possession. Each side had agreed upon a temporary chairman beforehand. Both men proceeded at the same time and from the same desk to call the convention to order. The Democrats immediately adopted a resolution to adjourn and filed out of the room. The fifty-six Republican delegates remained and organized the convention. The following day the Democratic delegates met in the council chamber and also organized themselves into a constitutional convention. The two factions, with St. Anthony represented in one by six Republican delegates armed with election certificates and in the other by six contesting Democratic delegates, met separately until the end. Each proceeded to draft a constitution. Ten days before adjournment, when each faction had practically completed its draft, they finally agreed upon a conference committee. Since each side had made a constitution by the use of shears and pastepot and each had clipped most of the articles from the same sources, the recent constitutions of Ohio, Wisconsin and Iowa, the task of the conference committee was materially simplified. The report of the conference committee was agreed to by both factions and the constitution thus framed was submitted to a vote of the people on October 13, 1858, and was almost unanimously approved. The complete returns showed 36,240 for, with only a scattering 700 against adoption.⁽¹⁾

This is the constitution of the state of Minnesota today. It has never been systematically revised, but numerous single amendments to separate sections and articles have been adopted from time to time. In fact two amendments were proposed by the territorial legislature and approved by the voters before the constitution was put into effect and before the state was admitted into the Union. One of these amendments authorized the officers elect to qualify and assume their duties May first, 1858, whether Congress should have admitted the state or not; the other permitted a loan of the state's credit, to the extent of \$5,000,000, in the aid of railroad construction, a disastrous policy, which had been expressly prohibited by the original draft. The vote on the first amendment is not recorded; the amendment permitting the loan of the state's credit to the railroads was carried, 25,023 for and 6,733 against. These amendments were adopted April 15th, 1858, and on May 12th the state was admitted into the Union. The constitution was therefore actually amended before it took effect.

Other amendments followed in rapid succession, one or more at every election, excepting the elections of 1859, 1861, 1862, 1863, 1864, 1866, 1878 and 1880.

Amending Process Changed

In all there have been 101 amendments proposed by the legislature and 61 of these were approved by the voters. The original constitution provided that amendments might be proposed by a majority vote in each house of the legislature and be submitted to the people "for their approval or rejection; and if it shall appear in a manner to be provided by law, that a majority of voters present and voting shall have

(1) Minnesota Constitutional Debates 1857, p. 677. The official returns were 30,055 for and 571 against. Complete returns as given above.

ratified such alterations or amendments the same shall be valid."

Under this provision there were 63 amendments submitted, 51 of which received a majority of the votes cast on them and were declared adopted by the Governor in accordance with a state law.

In 1898 the legislature submitted an amendment, Sec. 1, Art. 14, to the people, proposing to change the amending process to read in part: "Shall be submitted to the people at any general election, and if it shall appear, in a manner to be provided by law, that a majority of all the electors voting at said election shall have voted for and ratified such alterations or amendments the same shall be valid." On its face the proposal seems to be innocent enough. It was adopted by a vote of 69,760 to 32,881 with three other amendments each receiving about the same vote. Sec. 8, Art. 7, permitting women to vote for members of school and library boards carried 71,704 to 43,360; Sec. 36, Art. 4, perfecting the provision adopted in 1896, which gave the cities and villages of this state the right to frame and adopt their own charters, carried 68,754 to 32,068; Sec. 16, Art. 9, providing for a state road and bridge fund and creating the State Highway Commission, carried 70,017 to 38,017.

The Effect of the Change

The total number of ballots cast at that election was 251,250, a majority of which is 125,626. Under the new amending process, requiring a majority of all the votes cast in the entire election, instead of a majority of the votes cast on each amendment, for adoption, not one of the propositions submitted in 1898 would have been approved. As it was, 27 per cent of the voters participating in the election decided that in

all future elections it would require twice as many favorable votes, proportionately, to make the slightest change in the constitution. It was also decided that all amendments thereafter must be adopted at "a general election." The force of that rule was probably not made as plain to the people in 1898 as it is to us today. Its purpose was plainly to tie the hands of any future legislature that might try to get around the provision of 1898 by calling a special election for the sole purpose of adopting a constitutional amendment. For at an election where no officers are to be elected, every vote cast is necessarily cast on the amendment. It follows that in such an election a majority of all the ballots cast is the same as a majority of the ballots cast on the amendment. But that door of escape from our constitutional dilemma was effectively blocked by requiring amendments to be submitted at a general election.

The effect of the change in the amending process is clearly indicated in the following table:

Constitutional Amendments.

Year.	No. Submitted	No. Adopted
1858-1898	63	51
1900	1	0
1902	4	0
1904	3	3
1906	3	3
1908	4	0
1910	6	1
1912	7	2
1914	11	1
1900-1914	39	10

In short, in the first 40 years, only eight amendments, which the legislature proposed, were voted down by the people, while during the 14 years since the amending process was changed, 29 amendments have failed of adoption.

Every one of these 29 amendments would have been adopted if a majority vote, as usually understood, had sufficed. On the other hand, had the candidates for office been required to secure a majority of all the votes cast at the election, a great many would not have been elected. In the election of 1914, five out of nine state officers had less than such majority, including the Governor and Lieutenant Governor.

Hamstringing Democracy

A study of the returns on the 101 amendments submitted in this state reveals some interesting facts regarding the voters. About one-third of them are too indifferent, too ignorant, or too confused by the long ballot, to vote on the constitutional amendments at all. This army of inefficient voters, never less than 59,000 in the elections of the past decade, and rising as high as 145,

A study of the returns on the 101 000, must be counted under the law as opposed to any and all changes in the constitution. For the provision of 1898 directs in effect, that a voter who fails to vote on any amendment shall be counted as voting against it. In the election of 1914 the initiative and referendum amendment was lost in spite of the fact that 168,004 voters cast their ballots for it only 41,577 actually voted against that measure. But to that small group of 41,577 opposing voters the constitution directs there shall be added automatically the great army of 145,000 with no ideas on the subject worth expressing. This is an effective alliance between extreme conservatism and extreme ignorance. There is nothing worse except an alliance between extreme radicalism and excessive wisdom.

It must be evident that any departure from the principle "that the majority shall rule" gives the minority that

power. The majority must be taken to mean the majority of those qualified to vote and actually voting on the question at issue. To follow any other rule is to hamstring democracy and strangle it by its own laws.

It might be argued with some plausibility that the constitution represents the matured and deliberate will of the people and should be guarded against hasty changes. An examination of the 51 amendments adopted by the people of this state prior to 1900 must satisfy the most standpat conservative that there is no danger of trusting the majority of the voters with their own constitution. To distrust them is to put your trust in the army of voters with no ideas at all on the question at issue.

Constitutional Minutia

A careful examination of 50 years of constitution tinkering in this state discloses the fact that not one amendment in four involves any change in the fundamental plan or principle of the government. A large number deal with mere constitutional minutia, such as the terms of officers, time of elections, length of legislative session, qualification of voters, and the like. These occasion no great stir. The matters that are really fought over, are not of a constitutional nature at all. They concern such matters as the gross earnings tax, tax on sleeping cars, tax on railroad lands, bond issues, all of which are purely statutory and should be excluded from the constitution. If the legislature cannot be trusted to deal wisely with them, then make the laws on such matters subject to the referendum.

Excess of Detail in the Constitution

Many amendments are occasioned because of the large amount of un-

necessary detail dragged into the constitutional provisions. There is no better example than Sec. 36 of Art. 4, giving the cities the power to frame and amend their own charters. That amendment was taken with few changes from the constitution of Missouri of 1875, where it applied only to cities of over 100,000, and specified detailed procedure required to meet a definite situation in St. Louis. The Minnesota amendment applies to all cities and villages. Hence some of the specific requirements meant for large cities do not fit, for instance, the absolute requirement that amendments to the home rule charters must be published for at least 30 days in three newspapers of general circulation. Moorhead was hard pressed to find three daily papers in its limits, and the Supreme Court had to help that city out of the difficulty⁽¹⁾. The large cities have the newspapers but find such publication excessive and too costly. This is only an illustration of the kind of difficulties that make frequent constitutional changes necessary.

So long as there is this excess of detail in the constitution, and so long as important portions of statute law are enacted under the guise of constitutional amendments the amending process must be easy enough to be used by the active thinking majority of the voters at every election. Past experience clearly warrants such a conclusion.

Informing the Voter

It must be admitted that more might be done to inform the voters about the proposed constitutional amendments, and thereby induce a larger number of voters to vote on them. The legislature, realizing this fact, passed an act in 1887 which requires the Attorney General to critically examine all proposed amendments and prepare a syn-

opsis of each for the Secretary of State at least four months before the election. This synopsis must contain the original article to be changed, the amendment and an explanation of its significance. It becomes the duty then of the Secretary of State to publish this matter in the newspapers at the Capitol and in one paper in each county. He also issues this information in pamphlet form and supplies the Auditor of every county with six copies for each polling precinct.

This law has been improved upon by other states like Oregon and Wisconsin. In those states a complete campaign document, including the amendments, a short synopsis prepared by the Attorney General and brief arguments for and against the proposition are sent to each and every voter by the Secretary of State. Even such an election pamphlet has its limitations. It is not read by every voter because it requires time, patience and some knowledge of constitutional law to understand.

There is one other method of making changes in our constitution and that is by a constitutional convention expressly elected for the purpose. Sec. 2, Art. 14, provides as follows:

"Whenever two-thirds of the members elected to each branch of the legislature shall think it necessary to call a convention to revise this Constitution, they shall recommend to the electors to vote at the next general election for members of the legislature, for or against a convention; and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall, at their next session, provide by law for calling the same. The convention shall consist of as many members as the House of Representatives, who shall be chosen in the same manner, and shall meet with-

⁽¹⁾ *Wolfe v. Moorhead*, 98 Minn. 117.

in three months after their election for the purpose aforesaid."

Clamping the Brakes on Constitutional Progress

An attempt was made by the legislature in 1895 to call such a convention. The question: "Shall there be a constitutional convention to revise the constitution?" was submitted at the general election in 1896. The vote was light, 96,308 voting for and 70,568 opposed the convention. The act provided that if the majority of the voters voting at **that election** favored the convention then it would be the duty of the legislature at its next session to arrange for it. This act followed the letter of the constitution, in directing how the vote should be counted. That was the first time a vote on any matter in any election in this State had been counted in that manner. The experience in the election of 1896, when 70,000 voters defeated 96,000, showed clearly the possibilities of that rule. In the very next election this method of counting the vote was applied to amendments. This was clamping the legal brakes on constitutional progress and double-locking the brakes. For nothing less than a public calamity will arouse the people to rescind the provision of 1898, either by an amendment or by means of a constitutional convention.

Of course, any change in the constitution which awakens unusual interest can still be secured under the present amendment process. In fact 10 out of 39 have been carried in the last 14 years. But experience shows some highly desirable changes, like enlarging the supreme court by the addition of another judge, will be practically out of the question.

An amending process as difficult to operate as ours is bound to impede

progress. It requires the people to push the car of state ahead with the brakes set.

Even such an impediment could be endured with equanimity, if no greater constitutional progress is to come in the next 50 years than has been made by our states in the past century. The existing state governments constitute a monument to the remarkable stability and essential conservatism of the American democracy. It was the democracy of the town meeting in Massachusetts from 1778 to 1783 that devised the American method of constitution making. The steps now so familiar include a vote of the people on the question of calling a convention, an act of the legislature providing for it, the election of delegates, the framing of a new constitution or a revision of the existing instrument, and finally the enactment of the proposals by a vote of the people. It is true this time-honored method was not universally followed until 1835 and has recently been departed from, unfortunately, in some of the southern states. This process gave the people the initiative and the referendum on constitutional law, in principle. Thereby America gave to the world a new institution of democracy.

The first constitution framed by this method was the work of John Adams and the method was the product of the New England town meeting. This constitution is still in force in Massachusetts and all subsequent state constitutions were modelled upon it, including that of Minnesota. During these 135 years our state governments have changed only in size and complexity, not in principle. In the past the state governments fashioned on the model of the Eighteenth century have been reasonably satisfactory. It remains to be seen if they will meet the demands of the new democracies of the Twentieth

century without some important modifications.

Reorganization of State Governments

A movement was started in Oregon some years ago to secure a thorough reorganization of the state governments. This has attracted nation-wide attention. In 1913 several states, including Minnesota, appointed commissions to investigate the present organization of the administrative departments of the state government and recommend changes. An elaborate bill was drafted by the Efficiency and Economy Commission of this State proposing sweeping changes in the reorganization of the state departments and commissions. The legislature declined to pass the bill, but continued the commission for another two years. The main result so far has been educative. It remains to be seen if the alterations needed do not demand fundamental constitutional changes in the essential plan of the state governments, rather than the perfecting of the administrative arrangements, important as these are.

The fundamental changes so far proposed are these: (1) provision for a proper budgetary system; (2) the introduction of the short ballot, under which all the state administrative officers and boards now elected are to be appointed, excepting the Governor and Lieutenant Governor; (3) the abolition of the bicameral system and the introduction in its place of a single house legislature; (4) giving the Governor and his cabinet, the right of participating formally in law-making.

The question of a budget was considered by the Michigan Constitutional Convention and was favorably recommended by a committee, but the proposal never came to a vote in the convention. The Ohio Constitutional Con-

vention of 1912 came in time to adopt the initiative, referendum and recall, made popular by the reform movement which spread from the pacific coast states. These provisions it is now recognized do not go to the root of the matter. They are merely institutions of democracy, the agencies through which democracy can stimulate and compel the government to represent the people. The initiative, referendum and recall are crude and imperfect instruments of popular action. They are at best mere safety devices. Other changes like the budget, and executive leadership and participation in legislation were suggested to members of the Ohio Constitutional Convention but neither the people of that state nor the delegates of the convention were ready to deal with those great problems.

The Short Ballot

The New York convention which adjourned September 18th of this year has gone a step farther. It has submitted to the people a revision of the constitution in the form of 15 distinct amendments. Among these is a provision for the introduction of a scientific budget prepared under the direction of the Governor; and a provision for the short ballot in part, under which all the administrative officers will be appointed, leaving only the Governor, Lieutenant Governor, Auditor and Attorney General to be elected. The departments of the state government are to be reduced from over 150 to seven.

The boldness of these proposals made by a very conservative convention in a conservative state like New York shows the trend of events. It indicates that people in our states are ready to introduce more efficient government. They are tired of the waste and incompetency in the conduct of public

business. They have scrapped worn-out methods and machines in conducting their private business. They cannot see why out-worn political methods cannot be thrown on the scrap pile with resulting saving of money and increased efficiency in the conduct of governmental business.

Constitutional Changes Should Come First

This movement is bound to spread sooner or later to every state in the union. This state is already looked upon as taking a leading part in preparing for this reform. The question is now how shall we proceed to get the

best results? Shall the administrative departments and boards be reorganized first as far as the existing constitution permits; or shall the fundamental and necessary constitutional changes come first? For myself I can see no other satisfactory way of proceeding than to lay the proper foundation for the new order of things first before building the superstructure. If my conclusion is correct, then this and every other public body of men interested in improving and perfecting our local and state governments should begin to look forward to a constitutional convention. It will be long enough coming after the movement is set on foot.

Shoddy Art

Possibly the worst art in America may be the average statue of a hero, but we are inclined to think it is the court-house in a small city. A few are built modestly, according to the need and the size of the appropriation. Most of them, however, are as silly as an absurdly decorated false front cottage. The local magnates usually begin on a scale as pretentious as they dare. Everything turns out more expensive than the estimates. Consequently economy becomes necessary. Who has not seen this characteristic picture:

Cast-iron soldiers monument guards a plastered court-house, ruled off to look the Bedford stone that it was to have been. Within you will find a "two by four" rotunda crowded full of doors, a cast cement balustrade around the hole in the second floor. Above this is the usual 1883 pattern tin cupola, refurbished a bit, with French columns and sheet metal bases, for 1914 use. This

necessary feature of all court-houses labels the building as far as it may be seen and keeps any light from actually reaching the lower corridor.

Of special faults, perhaps the sheet metal substitute for stone details—capitals, cornices, balustrades and the like—is the worst offender. The leaded glass patterns painted on common glass are a close second. The richly carved and deeply covered oak ceiling all made of "grained" papier-mache in the State Capitol at Albany is an historic example. Sometimes graft and sometimes folly is behind.

Sheet steel doors with red graining on enameled paint to look like mahogany doors that never could grow old gracefully, "verde antique" marble wainscot made of oxy-chloride cement, fading in places where no furniture has stood against it, are incidentals. Harper's Weekly.

Minnesota Septic Tank Conference

The meeting called by the League of Minnesota Municipalities to consider the validity of the claims of the Cameron Septic Tank Company for royalties on disposal plants, was called together in the Main Engineering Building of the University of Minnesota by Attorney J. N. Nicholsen, President of the League of Minnesota Municipalities.

Representatives of about half the towns affected by the recent court decree, were in attendance. After a discussion participated in by R. W. Stanford, City Attorney of Willmar, Fred-eric Bass of the University, Dean W. R. Vance of the Law School, Dr. H. M. Bracken and H. A. Whittaker of the State Board of Health, and also most of the delegates in attendance, it was moved, seconded and carried that the several members attending the Minnesota meeting recommend to their respective City and Village Councils the advisability of acting jointly through the League of Minnesota Municipalities, and affiliating with the National Septic Process Protective League. The following resolutions, adopted at the Des Moines meeting, give the purposes of the National League:

WHEREAS, the Cameron Septic Tank Company of Chicago is making demands upon municipalities throughout the United States for the payment of excessive royalties, on account of a certain alleged patent which it claims to own; and,

WHEREAS, it is the judgment of those from the several states represented in this conference that the interests of the tax payers and general public can best be protected by contesting

the validity of said alleged patent, by ascertaining the scope of its valid claims, if any there be, and by refusing to pay any and all royalties to the said Cameron Septic Tank Company on account of said patent, until after the courts of final jurisdiction have upheld the validity of such patent and the liability for such royalties; and,

WHEREAS, the expense of defending suits of this character would prove burdensome to a single municipality; and,

WHEREAS, the benefits which would accrue from such a suit, if successfully contested, would prove of value to all of the municipalities from which royalties are being demanded, and particularly to the tax payers of such municipalities, now, therefore, be it

RESOLVED, that The National Septic Process Protective League be, and the same is hereby formed, for the purpose of aiding in the defense of any suit brought by the Cameron Septic Tank Company, against any municipality, company, corporation, state institution or private individual which is a member of this League, when such suit involves the validity of said patent.

Dr. H. M. Bracken of the Minnesota State Board of Health was elected President of the League. Mr. Frank G. Pierce of the Iowa League of Municipalities was elected Secretary-Treasurer of the new organization.

G. A. Gesell, Executive Secretary of the League of Minnesota Municipalities, and H. A. Whittaker of the Minnesota State Board of Health are the Minnesota representatives on the National Board of Directors.

Analysis Based on Minnesota Experience of Forms of Contracts for Road Work*

By R. W. Acton, Division Engineer, Minnesota State Highway Commission.

Five methods of forms of contracting have been used on road work in Minnesota as follows: (a) Lump sum; (b) Cost plus percentage; (c) Unit price; (d) Combination of lump sum and unit price; (e) Contracting for an outfit on per diem basis wherein the contractor guarantees a minimum yardage per day.

As to the merits of these various forms, the lump sum contract and cost plus percentage has proven the least satisfactory.

It is the writer's opinion that the straight lump sum contract is decidedly obsolete, inadequate and expensive on road work; obsolete in that it fulfilled its usefulness on the small job when supervision was not available; inadequate in that it provides for no contingencies, and expensive inasmuch as the contractor must base his bid upon the personality of the engineer or supervising board. Unit costs on strictly lump sum work have averaged much higher than costs for the same class or work under any other form of contract under the writer's observation.

The cost plus percentage form of contract is more satisfactory in theory than in actual practice. In theory it is perfectly reasonable to presume that work of an indeterminate nature, involving classification, doubtful foundation work, work under water and other extreme conditions, should be handled on a cost plus percentage. The system has thus far apparently failed in that too often the county is paying for the experience of the contractor, in which situation there is no advantage over the rental of equipment and performing

the work by day labor. However, where the percentage cost actually goes towards the purchase of experience, this system should be very acceptable.

The more successful form of contract has been the "Unit Price," Combination of Lump Sum and Unit Price" and the contracted outfit on per diem basis with a guaranteed minimum yardage. This latter method has been found successful locally, and is applicable in conjunction with day-labor work only. The combination of the lump sum and unit price is a compromise which has been read into the statute governing certain public work under which lump sum contracts are prescribed. As applied to road work the contractor is required to bid upon unit prices for each and every item or classification of work. The unit prices determine the amount of the contract and are also the basis for settlement for extra work or deductions.

By carrying a contingency fund it is possible to secure very satisfactory results with this form of contract as it acts as a curb upon the engineer who might be extravagant, has a tendency to balance the contractor's bid and gives the county a reasonably close estimate of the final cost of project. This is the most satisfactory form of contract that has come to the writer's observation on bond issue work when a form of the lump sum contract must be held to comply with the statute.

The unit price from an engineer's and contractor's point of view is the ideal form of contract and without question it is the fairest method of contracting and is conducive to the securing of the lowest possible unit bid.

*Extract from a paper read at the annual meeting of the Minnesota Engineers' and Surveyors' Society

Report of the Committee on Street Paving*

BY JOHN WILSON,
Consulting Engineer, Duluth, Minnesota.

As a basis upon which to prepare a report, your committee has endeavored to ascertain what paving is being done throughout the state, the character of the pavement, the methods of construction used, the general design, the cost and also the extent of repairs and maintenance on existing pavement.

In collecting this data we have been assisted very materially by Mr. Gesell of the Municipal Reference Bureau. We are somewhat disappointed with the amount of material we have been able to collect and yet we are by no means surprised. As a rule, municipal officers are busy men and have but little time to devote to preparing answers to inquiries submitted.

Uniform Paving Records Recommended

The replies received indicate an utter lack of uniformity in the methods of keeping paving records, while too often there are no records of any kind, aside from the original contracts under which the work was done. These records you may find stacked high on some shelf or deep down in some box. The lack of records is especially noticeable in connection with maintenance and repairs, upon which it is extremely difficult to secure reliable data of any kind; notwithstanding the fact that paving is the largest one item of expenditure in the average municipality.

Paving cannot become the science it should until its history is written and there is made available to the present

the experiences of the past. Many of the leading engineering magazines have, from time to time, expended much time and money endeavoring to furnish their readers with facts and figures along these lines, but with rather indifferent success. However, we believe the best text on paving available at the present time is a well preserved file of these magazines. We would, therefore, at this time like to suggest the establishment of some uniform system of records and accounting in connection with pavements and their maintenance.

The amount of paving, as reported by various cities and villages throughout the state during the seasons of 1914 and 1915, is as shown on the following page, the figures are approximate only.

It will be noticed from the 1914 reports, that creosote wood block leads all other classes by a very wide margin, with concrete, asphaltic concrete and brick following in the order named. If Minneapolis and St. Paul had been included in the 1915 report, the results would possibly be about the same.

Creosote Wood Blocks

The practices in connection with creosote wood block appear to be quite uniform. Blocks are laid on one inch sand cushion with concrete base; the wood consists of Southern pine, tamarack and Norway pine, all being given a sixteen-pound treatment.

Minneapolis uses both a three and a half and four inch block; Hibbing, St. Paul, Eveleth and Virginia use three and a half inch; Rochester and Owa-

*Presented at the Virginia Convention of the League of Minnesota Municipalities. The other members of the committee were Mayor William McCraig of Bemidji and O. F. Geissgerber, City Engineer of Austin.

	Asphalt	Asphaltic Concrete	Brick	Concrete	Creosote Block	Sandstone	Bitulitic	Macadam	Rockmac
1914.									
Austin					5,064				
Duluth	1,700	1,400	68,000	51,000		6,000			
Mankato				18,558					
Hibbing					7,784		8,556		
Minneapolis		42,622	10,634	64,886	204,655				
Rochester		58,341							
Owatonna					10,397				
St. Cloud				10,313					
St. Paul		23,357	15,705	10,057	267,968	1,312			
Two Harbors				10,210					
Virginia					16,073				
Total	1,700	125,720	94,339	165,024	511,941	7,312	8,556		
1915.									
Austin					11,251				
Cloquet									3,115
Duluth	6,480	800	11,700	51,697		625	5,370	7,940	980
Eveleth					3,287		8,592		
Mankato				10,600	21,000				
Rochester				6,378					
Pipestone				45,000					
Red Wing					13,700				
St. Cloud				10,300					
Total	6,480	800	11,700	123,975	49,138	625	13,962	7,940	4,095
Contemplated for 1916.									
Minneapolis		50,000	50,000	50,000	250,000				
Cloquet				4,000					
Eveleth							7,200		
Owatonna					25,000				
Pipestone				10,000					

One town reports no prospects for the next three years on account of local option.

tonna three and a half and three; Albert Lea, Austin, Mankato and Red Wing use three inch; Duluth has some three inch, three and a half and four inch blocks.

Practically all the pavements are laid on a concrete base. While the construction varies quite widely among the different villages and cities, it seems to be quite uniform within the corporations themselves with respect to the various forms of pavement. This

practice might be improved upon, thus, for a heavy block pavement, such as sandstone, the price could be materially reduced by decreasing the thickness of the base, in which case this pavement might be more frequently used on steep grades for which purpose it is unexcelled.

Base Thickness and Mixture

The following is the practice of the various towns in regard to the base:

Town	Thickness	Mixture
Albert Lea	5 inches	1-5 pit run gravel
Austin	5 "	1-8 pit run gravel
Hibbing	5 "	1-3-5
Eveleth	6 "	1-2-4
Mankato	5 "	1-3-5
Duluth	5-6 "	1-3-6
Minneapolis	5 "	1-3-6
Owatonna	5 "	1-8 pit run gravel
Rochester	5 "	1-3-5
Red Wing	5 "	1-6 pit run gravel
St. Cloud	5 "	1-2½-5
St. Paul	5 "	Not given
Virginia	6 "	Not given

While local conditions must determine the character of the concrete base, few towns are so fortunate as to possess gravel that is so proportioned that a 1-8 mixture of pit run would produce a first-class foundation, although the occurrence of such material is by no means impossible. On the other hand, conditions are seldom such as to justify the expense of a 1-2-4 concrete for a pavement base. If the usual base mixed 1-3-5 or 1-3-6 would not seem to be sufficient it would be more economical to increase the thickness rather

than enrich the mixture. It might be interesting to note the practice of a few of our larger cities with respect to pavement foundations which are taken from the latest specifications available:

Town	Thickness	Mixture
St. Louis	6 inches	1-4-7
Seattle	4-6 "	1-4-7
Chicago	6 "	1-3-6
Cleveland	Blank	1-3-6
Des Moines	"	1-3-6
Baltimore	"	1-3½-7
Cincinnati	6 inches	1-3-6
Philadelphia	5 "	1-3-6
Trenton, N. J	4 "	1-3-6
Toledo	4 "	1-3-7
Boston	6 "	1-3-7

Concrete Pavements

The information in regard to the construction of concrete pavements is not very complete. In most cases the practice seems to follow the recommendations of the American Concrete Institute. The reports received convey the information contained in the following table:

Town	One or Two Course	Top Thickness	Base Thickness	Total Av. Thickness	Mixture Top	Mixture Base
Duluth	1	...	...	7	.....	1-1½-3 reinforced
Duluth	2	2	5	7	1-1½-2½	1-2½-4 "
St. Paul.....	2	1½	5	6½	.....	.....
St. Cloud.....	2	2	5	7	1-1 -1	1-2½-5
St. Cloud.....	1	...	...	7	.....	1-2 -3
Minneapolis	1	...	...	7	.....	1-2½-3
Pipestone	1	...	...	6	.....	1-2 -3
Mankato	1	...	...	6	.....	1-2½-4 "
Two Harbors....	1	...	...	7.....	.....	1-1½-3

Bemidji, since 1910, has constructed 64,178 square yards of concrete, varying from five to six inches in thickness, which seems to be a pit run mixture of 1 to 3½. With the material available in Bemidji this might be permissible, but as a rule it is a dangerous practice to follow. There are many cases where a pit run may be used to an advantage in a concrete base, but

even then it will usually pay to screen and remix in the proper proportions.

Asphaltic Concrete

Such data as we have been able to secure, would indicate that the asphaltic concrete specifications are essentially the well known Topeka Specification. The standard specifications, adopted by the Association on Standard Specifications at their last meeting

in Pittsburgh in 1913, are possibly some improvement over the Topeka Specifications and any town contemplating the use of this pavement could profitably give the matter considerable study. All towns using this pavement report two inches of material on concrete base.

Brick Pavement

Most villages and cities using brick pavements seem to follow quite closely the recommendation of the National Paving Brick Manufacturers Association. Only two exceptions are noted—St. Paul uses an asphalt filler and Duluth, this season, is using transverse expansion joints with grout filler. Local conditions will largely determine whether an asphalt filler or a grout filler is to be preferred but as a rule a grout filler will prove the more satisfactory of the two as well as being cheaper. Transverse expansion joints on a brick pavement, while thought desirable a number of years ago, are now condemned by practically all paving authorities and we would suggest that anyone considering the use of brick follow the recommendations of the National Paving Brick Manufacturers' Association as closely as possible in order to secure the best results.

Patented Pavements

We find but two forms of patented pavements now being constructed—Rocmac and Bithulitic. Rocmac is a patented solution and is furnished to contractors in barrels at a fixed price per gallon. No special arrangements are necessary for its use.

Bithulitic is a patented process or combination of materials, all of which can be purchased in the open market. The owners of the Bithulitic patents file with the village or city previous to receiving bids, an agreement stating a

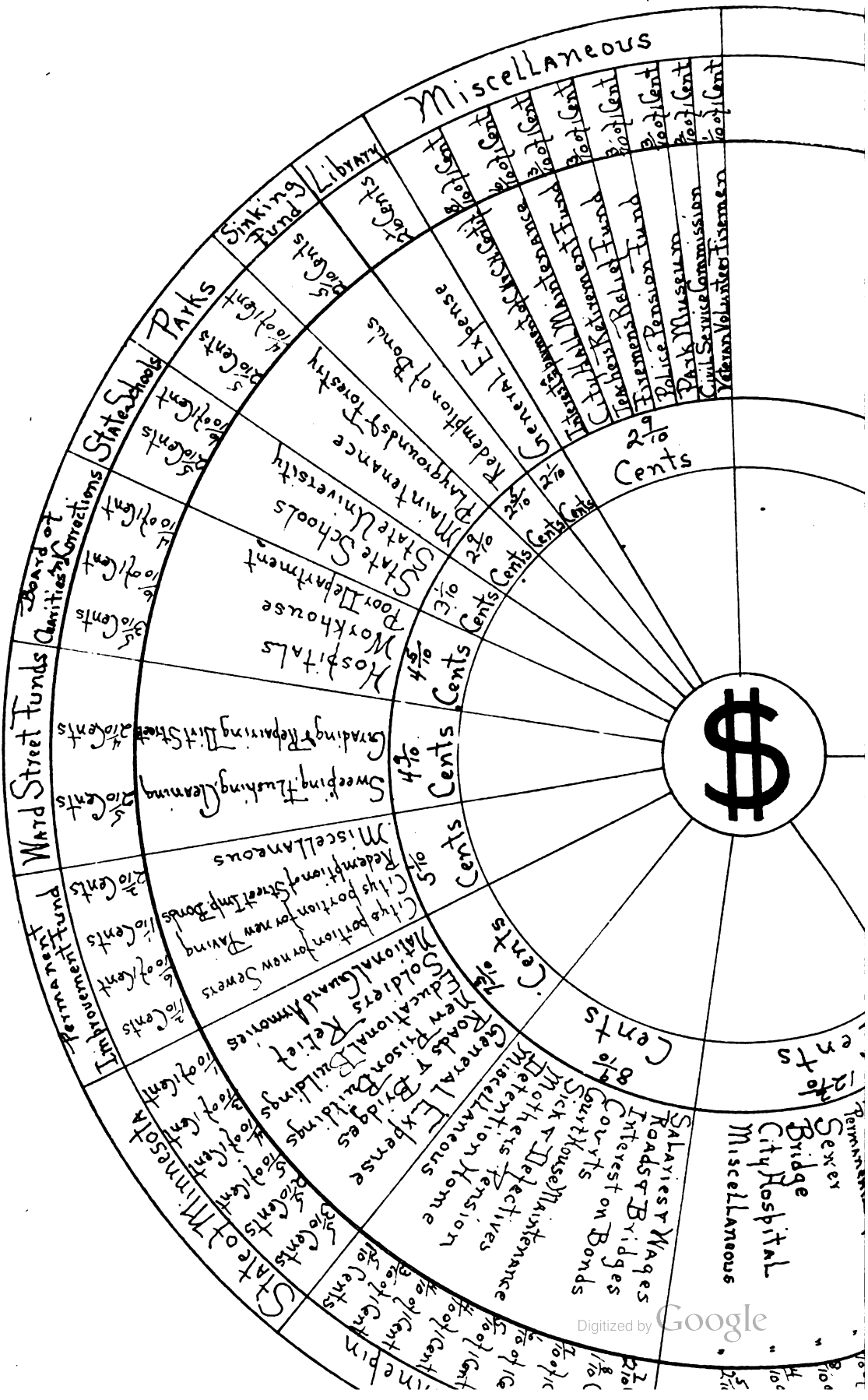
fixed price per square yard at which they will deliver the material into wagons ready to be placed on the street within a specified distance from the street. This price includes expert supervision, laboratory service and all royalties.

No consideration is given a contractor who owns his own plant and equipment. The price stipulated seems to be approximately three times the actual cost of the material, which apparently admits of but little competition, although the agreement states that its purpose is to admit competition. Of course, there is competition inasmuch as prices may be asked upon other materials; but the fact remains that these agreements add nothing in the way of competition.

A far better course would seem to be one similar to that suggested to the City Council of Duluth by the chairman of your committee about three years ago. The suggested agreement would provide that the owners of the patent should state a fixed price per square yard at which they would furnish all expert supervision and all rights for the use of the pavement under their patents. This sum might be paid direct by the city or village, and the contractor could then purchase his material in the open market and use his own equipment, providing material and equipment were satisfactory. An agreement of this kind would provide real competition and the public would know what was being paid for the pavement, and how much was going for royalties.

Water Bound Macadam

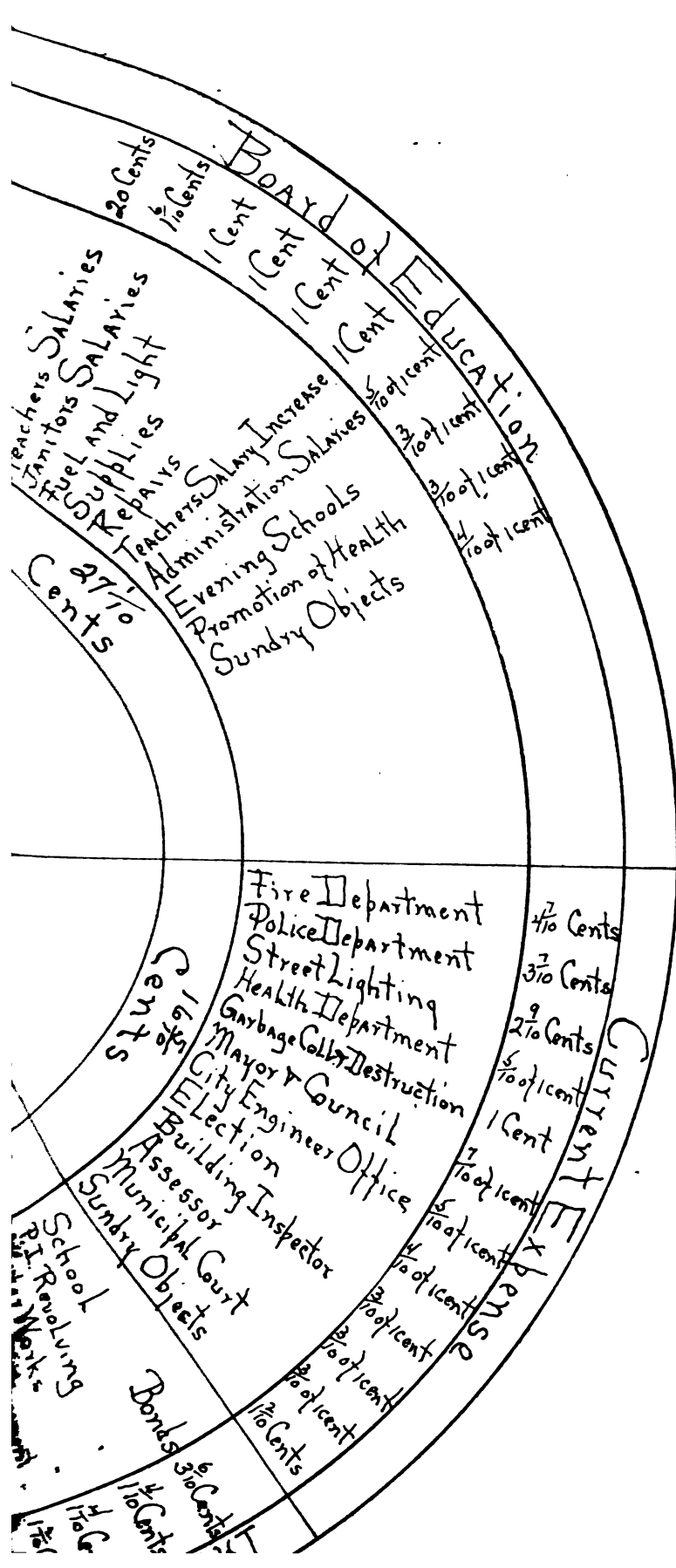
Water bound macadam seems to be falling into disfavor; Duluth is the only town that seems to have laid it during the past two seasons. The first cost of macadam is comparatively low and it



Distribution of Each Dollar In Taxes Based on Levy of 1915 Payable in 1915 Minneapolis, Minn.

Explanation

To ascertain the amount one pays for any specific purpose multiply the amount designated on the chart for that purpose by the number of dollars one pays in taxes. Thus, if one's taxes amount to a hundred dollars, it will appear that that \$4.70 of it goes for fire protection, \$1.00 for garbage disposal, \$27.10 for education, and so on.



may still have a place in streets that are but little used. However, there are many paving authorities that no longer regard it as a pavement

Cost Data

The costs of these various forms of pavements are shown in the following table:

Town	Asphalt	Asphal- tic Con- crete	Bithu- litic	Brick	Con. crete	Creo- sote Block	Maca- dam	Roc- mac	Sand- stone
Albert Lea.....	2.40	1.44	2.25	...	...	3.25
Austin.....	1.98	...	2.10	...	...	...
Bemidji.....	1.10	...	...	...	...
Cloquet.....	0.92	...
Duluth.....	2.00	1.90	2.20	2.30	1.65	3.25	0.75	1.24	2.75
Eveleth.....	2.50	...	...	2.55	...	...	...
Hibbing.....	2.61*	...	...	2.78*	...	...	...
Mankato.....	1.27	2.28	...	...	...
Minneapolis.....	...	1.40	...	2.12	1.29	2.40	...	...	...
Rochester.....	...	1.50	...	2.00	1.50	2.41	...	...	...
Red Wing.....	2.24	...	...	...
Owatonna.....	2.29*	...	...	...
Pipestone.....	1.35*	...	...	...	...
St. Cloud.....	1.50	...	...	...	...
St. Paul.....	...	1.62	...	2.20	1.61	2.48	...	...	3.32
Two Harbors.....	1.86†	...	...	...	...
Virginia.....	2.42	...	...	2.50	...	...	...

*Includes grading.

†Includes grading and curbs.

Width of Pavements

The data received in regard to the width of streets would indicate that many of the smaller towns are paving wider than the large cities. Much of this is undoubtedly due to the fact that the paving being done in the smaller towns is on the main business streets and extends from sidewalk to sidewalk, whereas much of the paving in the larger cities is now being done in the residential districts, where liberal grass plots are left between the sidewalk and the curb. Some of the widths given are evidently alley pavements and would be misleading if taken in the sense of a street pavement. The widths reported are as follows:

Albert Lea—10, 20, 30, 40, 67.
Austin—30, 33, 36, 40.
Bemidji—18, 52.
Cloquet—30.5.
Duluth—20, 24, 25, 26, 30, 36, 40, 52, 56.
Eveleth—38, 41.
Mankato—30, 42, 43, 56, 59, 76.
Minneapolis—14, 16, 28, 30, 26, 50, 64.
Owatonna—30, 40, 48, 50.5, 59.

Pipestone—30, 52.
Rochester—30, 40, 60, 70.
Red Wing—56.
St. Cloud—18, 44, 48, 50, 52.
St. Paul—30, 32, 34, 40, 42, 44, 46, 50, 69, 95
Virginia—24, 30.

As a rule small towns are inclined to pave much wider than necessary, due to lack of experience with paved streets. On many residential streets a width of twenty feet between curbs is ample. This width will permit a fire team on the run to pass an auto truck with safety. On more frequented streets an additional width of eight feet will permit an automobile in addition to the fire team and auto truck, which in most cases would be sufficient except for the business streets, where many vehicles are necessarily standing at the curb. A liberal grass space between the curb and sidewalk adds much to the cleanliness and appearance of a street, while at the same time reduces the cost of maintenance and construction very materially.

The paving of any street from the foundation up is a problem of itself and all its peculiarities should be considered. However, for the sake of uniformity and convenience it is desirable that each town adopt some standard that should be adhered to even at a slight sacrifice in an individual case; but not to the extent of becoming a permanent detriment to the street.

Discussion

Mr. L. W. Wilson (International Falls): We have been considering the narrowing of a street, but it has been difficult to get some of the people to consent to the change. They were of the opinion that they had to have a sixty-six foot street; they kept telling us that if two loads of hay met they would not be able to get past each other, and must have thirty-four feet. I think we made a blunder. I think it would be cheaper to narrow them up, as long as we do not have them paved.

The Chairman: Mr. Wilson, have you any reply to make to this proposition?

Mr. John Wilson (Duluth): Very few loads of hay will be found to exceed twelve feet in width, but possibly a load not very well balanced might be fourteen feet. The chances of two loads of hay meeting on a street are never very great, and one could stop just a little to allow the other to pass; that is on a residence street. Of course on a business street it might be different, but on a residence street you will very seldom have two loads of hay meeting, and even then the rack on one side can lap over the curb as much as the difference between the wheel and the edge of the rack. Your grass plot on the street should never be less than six feet, in order that the trees may be able to get

sufficient air to their roots to thrive well. Before the hay rack would strike the tree on a minimum width of six feet, it could project over about three feet, unless the trees were very low.

Prof Frederic H. Bass (University of Minnesota): I hardly think you could put a boulevard down the center of a street that is only thirty-four feet wide. That can be done very nicely, however, in a street that is fifty feet wide from curb to curb. There is an example of this in the southern part of this city, which may be seen by those in attendance at this convention.

Mr. E. F. Kelly (Faribault): In our town we had a hill that was quite steep and ran down on to our paved streets, and in order to prevent the dirt running down on to the paved streets every time it rained, we had a block paved with concrete, and we paved it just eighteen feet in width. Well, you should have heard the comments of the public on the width of that paving! They would say, "What would you do if two loads of hay would meet on that hill?" Nobody had ever known one load of hay to be hauled up that hill, because it was too steep. Since the paving was completed everybody takes that hill with his automobile, in order to save distance, and it is a nice incline and a pleasant drive. It has made a beautiful park of that particular street, whereas before it was a regular mud hill, and it had cost the city about \$300 a year to remove the sand and gravel that washed down.

Mr. L. R. Moyer (Montevideo): We had a street like that, but it was almost too steep to use. It was wide and graded up in country fashion. We closed it up and planted it with lilac bushes—and it has been a great success ever since. We didn't really need it.

We planted the lilac bushes and now it is all right. (Laughter and applause.)

Mr. Bass: Mr. Chairman, there is one piece of construction in the state that I think has not been mentioned, and that is the creosote block pavement which is being laid this year in St. Paul. They have tried using a 12-pound treatment of creosote oil per cubic foot, on stead of a 16-pound, using a special kind of oil, a pure creosote oil made from coal tar only, and it is something which I think the members of the League would do well to get in touch with and perhaps watch the results, because the City of St. Paul got bids of from 14 to 16 cents less per square yard on that block than they would have gotten on the specifications they had been using, calling for a 16-pound treatment.

Prof. Richard R. Price (Minneapolis): While we are on this question, I would like very much to hear the experiences of the different cities represented here with reference to these different kinds of pavements. Mr. Wilson has made a very careful analysis for us of the paving done in the state during the past two years. Now why not have the cities give us, briefly, their experiences with these different kinds of pavements? I do not think anything more valuable could be brought before us at this time.

The Chairman: We will be glad to hear the experiences of the cities or of any of the engineers who have had charge of paving work.

Mr. H. L. Miller (Winona): The city of Winona put in about thirty blocks of paving brick, 4-inch brick, with natural sand floor, and we had to work some wide streets; one street that was over 60 feet wide, we narrowed down to 35 feet. The price for the pav-

ing that we did down there was \$1.38. We let a contract last winter for \$1.33, for Pittsburg brick paving.

Mr. J. H. Protz (Winona): I can state what we have done in regard to brick paving. Twenty-four years ago Winona started her first paving, and used brick. That gave the city about twenty-four years of good service. That paving lies there today. Of course some of it has been relaid. Where they dug up portions of the pavement there were hollows, but it can be relaid, and be made just as good as new. Our people prefer brick paving. Two years ago we put in ten blocks and we had asphalt filler. This year we put in about thirteen blocks of Pittsburg brick, using the sand floor. It is a little noisy, but I think in our city we are doing remarkably well with the brick paving.

The Chairman: There is one kind of paving that I think we are all interested in, because of its cheapness and because of its excellent quality. But we have not had much experience with that kind of paving, and I should like to have those who have had experience with concrete paving give us their experiences. Mr. Wilson, will you give us some of your experience with concrete pavement?

Mr. John Wilson (Duluth): We have had concrete pavement in Duluth for a number of years; that is, we put in a granitoid pavement. It is really a two-course pavement, corrugated in small blocks, somewhat resembling a stone block. Some of it was put in with expansion joints about every 50 feet across the street. This has cracked quite badly in places. There is one street where they put in expansion joints 25 feet apart and a longitudinal expansion joint down the center of the

street, and they also put about six inches of gravel and cinders under that in order to prevent cracking. That has cracked but very little, and the six inches of cinders and gravel got all the credit for preventing the cracks. But it seems to be very reasonable to assume that it was the expansion joints that prevented the cracking and not the cinders and gravel. Go out in the early spring and you will find some of the slabs heaved two and one-half inches above the others at the joints, and yet those blocks have gone back into place without cracking and the pavement has not been reinforced. We put in some more pavement in about 1912 and 1913, and put in a great deal more last year. There was one street where the contractor got a little confused on his proportions and left out about half of the cement in the wearing course, and that has not stood up very well. But with this one exception, the concrete is doing very well, and we are now reinforcing, and cutting out as many of the expansion joints as possible. I believe reinforcement is a good feature, although there are some good paving men who still advocate the omission of the reinforcement, owing to its cost. Last year, and to some extent in 1913, we protected the expansion joints with steel plates, and that seems to help the joints quite a good deal, but whether the benefit justifies the expense or not, remains to be seen. You have noticed that our pavements are costing somewhat more than the average pavement, as we have protected the joints and put in reinforcement. At Mankato, for instance, it was \$1.27. They used a somewhat leaner mix, and they omitted the reinforcement and joint protection.

Under normal conditions I do not see why concrete could not be made a satisfactory pavement, although I hardly think it can take the place of a

first-class pavement, such as brick, creosote block and sandstone; but under normal conditions I think it is very good pavement, and in a good many cases would do just as well as some of the more expensive pavement we are putting in.

Mr. Miller (Winona): I would like to ask the gentleman a question in regard to concrete pavement. We have about sixteen miles of concrete pavement leading into Winona, in different directions, and we haven't had very good results. Some contend it was poor because it was flushed in, and others because it was put in in putty form and tamped in. I would like to have the opinion of the gentleman on that.

Mr. Wilson: I am not acquainted with your situation.

Mr. Macgowen: There is an engineer here in the room, Mr. Chubb, who is well acquainted with the Winona situation.

The Chairman: Mr. Chubb, will you give us some information on that?

Mr. J. H. Chubb, Universal Portland Cement Co. (Minneapolis): At Winona they used a rather lean mix. The first work placed in 1912, was of rather poor quality because of the mix and also because a poor grade of gravel and sand was used. However, I believe the work that was placed in 1913 is satisfactory. The first work they did in 1912 was not as satisfactory as it should have been. The later work in 1913, and what was put in last year is entirely satisfactory.

In regard to putting the mix in wet or tamping it in, it is the accepted practice throughout the country now to put in a medium wet mixture. There is such a thing as getting the mix too wet. If it is mixed too wet, the mortar and cement will flow away from the

stone, and the stone is deposited and left in pockets. If it is put in medium wet, of good stiff consistency, so it can be struck off and finished with a strike-board, you get a very much better concrete. I believe it is a mistaken idea, however, to consider putting it in so dry that it needs tamping. It should be put in just as dry as can be and yet struck off and finished properly.

The Winona roads are really not a criterion for concrete, because they did considerable experimenting down there, and the mixture and materials were not right to start with. I believe that anybody who will look over the latter part of the work can see that, by using better materials and putting the work in more according to standard methods, they have succeeded in obtaining satisfactory results.

With regard to the brick pavement laid there: Winona has a soil condition, a foundation condition, such as is met with probably in no other place in the state. They do not have the heavy clay soil to contend with there that is found in most of the other places in the state. There a sandy soil that is well drained affords a good foundation, so they can put in a brick pavement without a foundation at a reasonable cost. If brick pavements should be constructed throughout the state in the same manner as at Winona, they would not be a success; they could not be expected to stand up; you have to give them a good foundation.

The Chairman: What about expansion joints? Are they desirable? Where should we have them, and how far apart?

Mr. Chubb: Concrete expands and contracts, and if you do not provide joints the surface is going to crack. Joints ought to be placed in a pavement not to exceed 35 feet apart, and

the joint should be made as narrow as possible. If joints are not put in, the pavement is bound to crack. Cracks are unsightly, but they can be repaired at a very reasonable cost, and really the unsightliness is the only objection to the cracks. But rather than have the pavement crack, in an irregular way, which makes it harder to take care of, it is desirable to put in the expansion joints, not to exceed 35 feet apart. The concrete at joints can be protected by a metal plate, at a slightly increased cost, about 4 cents a square yard put in place.

The cracking can also be very much reduced, practically entirely done away with, where you use joints, by reinforcing the pavement. Throughout Minnesota reinforcing will add 8 to 10 cents a square yard to the pavement, and considering the fact that it eliminates all cracks, where suitable joints are placed, it is certainly worth the extra cost.

We want to get away from the idea that concrete pavement is a cheap pavement. It is probably the cheapest durable pavement that can be put in, but it must be properly placed with the very best materials and properly taken care of. Properly constructed, with suitable materials, a concrete pavement is the equal of any pavement as to durability, with the possible exception of granite block pavement.

Mr. F. S. Colvin (Mayor of Biwabik): I would like to ask the gentleman how to repair the cracks. He says they can be repaired cheaply.

Mr. Chubb: In the first place, you should give yearly attention to the maintenance of the pavement. This is necessary. If the pavement is properly taken care of to start with, the cracks can be treated with tar and sand at a very small expense, and after they are

once treated the same cracks will not have to be treated again for some time. Mr. Colvin is probably referring to the pavement at Biwabik. That pavement was put down a number of years ago. There is a great variation in the thickness of the pavement which has caused cracking and it was not put down according to standard methods at all. Here they used a pit-run gravel, a material that should be used under no conditions. This gravel obtained from the side hills was mixed with cement, put down on the street and called a pavement. On wide streets no reinforcing was used and expansion joints were also placed too far apart, which caused the pavement to crack considerably. Considering the construction the pavement is wearing remarkably well. It shows no wear except at cracks and joints. The pavement can be repaired in two ways. The wider cracks should be chiseled out and refilled with concrete; the narrower cracks should be treated with tar and sand, and the pavement can be put in good condition at not a very large expense.

Mr. H. T. Reifel (Nashwauk): I would like to ask a question here, while talking about concrete. What is the experience of the towns in regard to concrete placed on a grade, an incline? Is it slippery pavement? How do horses stand up on a grade in cold weather or wet weather?

Mr. Chubb: With regard to the slipperiness, throughout the country where they have concrete pavements, is is generally conceded that it affords the best foothold for horses and also the best traction for automobiles. Sioux City, Iowa, has in the neighborhood of 30 or 40 miles of concrete pavement on its streets; it is practically all they are laying now or have laid for the past few years. The automobile liverymen

that town have signs in their stables requesting the drivers to keep to the concrete, because they have found it affords so much better traction than the other types of pavement. Automobiles do not skid on it. If you happen to be in Sioux City when the condition of the pavement is at its worst with regard to traction you will note that the team traffic and the automobile traffic strike for the concrete pavements, because they are very much less slippery than anything else; that is the actual experience there, and they have concrete on grades up to 16 per cent. There are some towns through the country that are laying concrete simply because they consider it is the most suitable for steep grades. Where their grades are the steepest they are laying concrete simply for that reason, because it will give a better foothold than any other kind of pavement. It is very much less slippery than anything else, with the possible exception of sandstone block with a bituminous filling.

Mr. Wilson (Duluth): The Department of Agriculture, through its Division of Good Roads, has recently issued a bulletin in which it recommends that the expansion joints be placed at an angle with the street instead of directly at right angles to the center line of the street, as formerly used. If I remember correctly, crushed rock is used for the large aggregate; they space those joints about 50 feet apart; but if gravel is used they recommend 30 feet.

Mr. Kelly (Faribault): What has been the experience of the different towns as to the width of gutters? Some are 18 inches, some 20, some 24, and some 36.

Mr. Macgowan (Minneapolis): The widest gutters I have ever seen were at Pierre, South Dakota, and some of those are 42 inches wide. They use

them there on heavy grades to keep the edge of the street from washing; and I noticed when I was there a few weeks ago that they were working out very successfully indeed. I consider the matter of the width of a gutter on a street to be dictated mostly by the grade and by economy of construction. I doubt if it is advisable in all cases to build very wide gutters. I would hold it down to 14 inches on streets that are fairly near level.

The previous speaker asked a question with regard to the width in case they used a boulevard in the center of the street or parked the center. I think he could safely cut down his roadway width to 16 feet between curbs and use a low curb about the parking in the center of the street. That has been followed with excellent results at Yankton, South Dakota.

The Chairman: You mean 16 feet between the curb and the parkway on each side?

Mr. Macgowan: Yes. They did not cut down to 16 feet, but they used a low curb in the center on the street; it only projects a few inches, so that if it is necessary for a vehicle to run on to the grass it may do so without suffering any damage, such as it would if the curb was high.

Mr. Kelly: One of the things that we are troubled with is the crossings

on the dirt streets which we have boulevarded. What are you doing in the different parts of the state, with your crossings?

The Chairman: Anyone to answer that question?

Mr. Kelly: Are you making wider crossings? You don't notice it riding in a buggy, but in an automobile it will throw you up in the air.

Mr. O. F. Weissgerber (City Engineer, Austin): You refer, do you not, Mr. Kelly, to a crossing with considerable crown to it?

Mr. Kelly: Yes.

Mr. Weissgerber: What we call a "thank-you-mum" every time we cross it with an auto. When you put in a crossing it should be practically level across the width. We maintain the crown of the roadway and have no trouble with the crowding out of the material on each side. At Albert Lea they lay a brick crossing and I think they have a four or five inch crown across the width, and every time a wagon or an auto or any other vehicle hits it, a certain amount of material is carried away from the edges, and, before long, as soon as your sprinkler goes over it, there is a pool and it keeps wearing away. I think the best way is to lay the crossing as near level as possible and keep the crown of the road four inches on dirt streets.

AN IMPORTANT HEARING

The City of Owatonna has made application to the Railroad & Warehouse Commission of this State, under the provisions of Chapter 152 of the General Laws of 1915, to compel a physical connection of the two tele-

phone companies operating into the City of Owatonna. A hearing was had before Commissioner Elmquist, at Owatonna, on March 20th, and was adjourned after the taking of the testimony of two witnesses, to the Commission's offices in the State Capitol, St. Paul, on April 3rd, at 10 o'clock.

A Resurrected Commercial Club

By Edwin C. Hackett
Secretary of the Commercial Club
of Rochester, Minnesota

The Rochester Commercial Club opened, November 23, a Community Home. Nearly two years ago a newly elected board of directors of the Rochester Commercial Club assumed control of a rapidly dying organization, whose chief function was to maintain a card room for about a dozen members.



EDWIN C. HACKETT

This new board resolved to do one of two things, either to bury the remains of the organization so deep that there could be no resurrection, or to breathe a new life into the body that it might become an active, working commercial organization, a factor in city and county development.

Injecting Hypodermics

The first step taken by the Board was to engage a new secretary, to assist

it in injecting hypodermics. The Board then bought the property where the Club quarters had been for years. With an active membership of not more than one hundred, the task of rejuvenation was a big one; not a few members were ready to see the club die. The directors, however, had a vision of big things, and in two days they raised sufficient funds to buy the club site property and a small sum besides.

At first it was planned to construct a modern Club Home for the benefit of members only, but a broader vision soon suggested a Community Home dedicated to fostering community spirit and to promoting the betterment of Rochester and Olmstead county.

Vision Realized

Today Rochester is proud of its Community Home, costing nearly \$30,000 complete, and with practically the entire amount paid. Instead of a burial of the Commercial Club, on November 23, a new home was opened by the directors and the vision of nearly two years of hard labor became a reality.

This Community Home has been built for service of a practical value to both city and surrounding country. On the first floor are the secretary's office, lounging and reading room, and grill room for the members. On the second floor at the rear is the card and billiard rooms also for members. An assembly room with a seating capacity of 350 occupies the front half of the second floor and is open to the use by any organization in the city or county free

of cost, but no political meetings or gatherings for the purpose of attacking any creed or party are allowed.

The Rest Room

One of the chief features of the building is the commodious rest room in the basement. Here also are toilet and wash rooms for women. Rochester formerly had a rest room supported by merchants and located in a delapidated

sleeping quarters. A parcel checking room has been provided where it is hoped in the future farmers or their wives will check their heavy coats. The check room will also receive from merchants parcels to be called for by the farmers who have purchased them. The visiting nurse, who is supported by the Civic League, a women's organization, has her office in the Community Home,



WOMEN'S REST ROOM

building, lacking in any comfort and poorly situated. The change accordingly to the Commercial Club home was welcomed by both merchant and farm woman. In addition to the rest room proper, there is a committee room for the use of any woman's organization in the city or county. A small nursery also is provided, where mothers can nurse their infants or give them cozy

which is a central headquarter for the benovolent work of the city.

The Civic League women have assumed the management of the rest rooms and employ a matron who is in charge daily. The club furnishes free of cost light, heat, water and rent. The city council has appropriated \$600 a year for maintenance. Thus it costs the merchant nothing for a modern rest

room, and Rochester is rendering a splendid service to the women of the city and country.

In the few weeks that the Community Home has been in operation, despite the vexatious details of starting something new, the results have been most gratifying to all concerned, and would indicate that it was a splendid movement in community development.

their headquarters and patronize its grill when in the city.

We limit our membership to no class and accept the chauffeur as well as the banker, the clerk as well as the merchant.

Grill Room Self-Sustaining

Many believed the grill room would prove a losing venture, but thus far it



CLUB GRILL ROOM

Farmers Join Club

On November 1st our membership was 175. Today our membership numbers about 450; 225 new members joining in a two days' campaign. Farmers have become interested and ten have voluntarily become non-resident members that they may have access to the club privileges. Five traveling salesmen have also joined to make the club

has been self-sustaining, something which I understand is not true of larger clubs. It is surprising to note the number of business men who are brought into a closer relationship at the noon or evening luncheon. Committee meetings have been held at the luncheon hour, which fact has been a vital force in arousing more interest in club affairs. For three weeks one com-

mittee met every day at noon to handle the publicity of a bond election recently held, and seldom was a member of this committee absent.

The annual meeting of the directors of our county fair was held in the assembly room, and at noon all joined at a luncheon at the grill, resulting in three farmers becoming members of the club. The printers of the first dis-

hear "The Commercial Club is dead." The professional man meets with his chauffeur at the club and maybe plays a game of pool or billiards with him, while the merchant joins with his clerk in social intercourse or friendly game, thus welding a spirit of friendship. The young men who had no place to which to go are using the reading and social rooms. Fathers bring their sons with



SECRETARY'S OFFICE

trict held a convention in our building and enjoyed a banquet at noon at the grill. Two of our business concerns have banquetted their entire staff at the lunch room.

Community Spirit Prevails

A new spirit prevails in Commercial Club circles. Over two hundred attended the first membership meeting in the building and no longer does one

them. "Community spirit" is emphasized daily, enthusiasm reigns among the members and the call to service on committees meets with a unanimous response.

The completion of the building of the Commercial Club home is but the beginning of a bigger job in community development. Plans are rapidly developing for service to the city and

country that will bring the merchant, the professional man, and the farmer into the closer bonds of a big brotherhood.

We have organized a merchant's bureau, and we hope to have a farmer's club as an auxiliary in the near future. We have a new membership, the young men, clerks of today, but the merchants of the morrow, and we hope to organize

ilar programs play an important part in this work of the smaller town, and undoubtedly bring the farmer to town to buy or sell.

The Community Home of Rochester may not be a model to copy, but it furnishes a splendid example for a thinking community.

From a dying organization to one of the largest, healthiest, and liveliest in the



MEN'S LOUNGING AND READING ROOM

a young men's branch to arouse their interest in civic development.

There is much to be said on Community development. It is a great field and a great work. Co-operation is a powerful factor in bringing the farm and the city into closer relationship. The country picnic, the community dance, and sim-

ilar programs play an important part in this work of the smaller town, and undoubtedly bring the farmer to town to buy or sell. The Community Home of Rochester may not be a model to copy, but it furnishes a splendid example for a thinking community. From a dying organization to one of the largest, healthiest, and liveliest in the

Information Department

Conducted by the Municipal Reference Bureau University Extension Service,
G. A. Gesell, Secretary

Questions of General Municipal Interest that are Referred to the Bureau Will
Be Answered In This Column.

GARBAGE COLLECTION AND DISPOSAL

Question. We are not satisfied with our present methods of collecting and disposing garbage. What are the practices of Minnesota villages and cities?

Answer. The great majority of towns in Minnesota that are systematically meeting this problem, are disposing of their garbage by hauling it to the city dumps where it is buried or burned. Unfortunately the system of individual collections still prevails. Under this arrangement the city does not directly concern itself with the disposal of garbage. These towns may have health regulations and make it mandatory on the part of the householder to remove refuse and garbage. The manner of disposal is, however, left very largely to the individual. He may burn it, bury it, or haul it to the municipal dump.

Several towns, according to reports received last year, dispose of their garbage by feeding a part or all of it to pigs. The municipalities in this list were Austin, Fairmont, Faribault, St. Cloud, St. Paul, South St. Paul, Wabasha, White Bear Lake, Winona.

Chisholm, Duluth, International Falls, Minneapolis and Virginia dispose of their garbage by incineration. The Chisholm plant handles about 60 tons of garbage a month, the Virginia plant 200 tons, and the Minneapolis plant handled 20,543 tons in 1914.

In the towns that systematically arrange for the disposition of garbage, the collections are made under one of the following arrangements: (1) by contract, the city asking for bids; (2) licensed collectors, obtaining very largely in towns that dispose of garbage by feeding it to pigs; (3) municipal collections, the municipality, as the name implies, providing the machinery for collecting the garbage.

A brief digest of the practices in the following villages and cities shows the various methods of collection and disposal.

Chisholm—The village collects the kitchen garbage once a week free of charge. Water-tight garbage cans and water-tight wagons with stopcocks are used. The wagons are flushed after every load. Garbage is burned in a McGuire incinerator. About 60 tons are disposed of each month.

St. Cloud—Garbage is collected by the city three times each week at a cost of 25 cents to householders in the residence district and free of charge in the business district. Covered steel wagons are used and flushed once a week. Garbage is fed to hogs.

Long Prairie—The village contracts for a man and team at about \$50 per month. Collections are made from April to December. No particular kind of receptacle is required. The garbage is hauled to the village dump and burned.

ELECTRIC COOKING AND HEATING RATES

Question. We are studying the problem of making electric rates for our municipal plant to encourage the use of current for cooking and heating purposes. Has your Bureau information on the price that electricity must be sold at to compete with gas; the types of rate schedules; and the necessity of installing separate meters for current used for cooking and heating purposes?

Answer. The Electric Journal for July 1913 contains a table answering your first question showing the prices at which electricity would have to be sold to compete with gas if there were no other advantages in using electrically generated heat.

Following is the table referred to:

Gas, Per 1000 cu.ft.	Electricity, Per kw. hr.
\$0.80.....	1.6 cents
.90.....	1.8 cents
1.00.....	2.0 cents
1.25.....	2.5 cents
1.50.....	3.1 cents
1.75.....	3.6 cents

In establishing electric rates for heating and cooking devices it is important to recognize that the possible maximum demand is not the most important factor because rates based on the connected load would tend to be prohibitive. It has been demonstrated in actual practice that the diversity load factor is at least 20 to 1, and that there may be a very heavy connected stove load and yet an almost inappreciable increase on the load of the plant.

With reference to double metering, I beg to state that most of the central stations are now using two meters. It seems that the single-meter plan would

be satisfactory for a city of your size if the consumers were classified. For instance, where a consumer's bill averaged \$3 a month for lighting on a 10-cent rate, the first 30 kilowatts would be figured at 10 cents and all over that at 3 cents, or at whatever rate might be decided on for cooking.

Under double metering it is customary to apply the power rate, except that a percentage as low as 20 per cent of the connected load is rated as active. This type of rate schedule, as stated, contemplates separate metering for measuring the current for cooking and heating purposes. Where the consumer does not have enough of this class of service to warrant the installation of a separate meter, he may get a low rate on his lighting circuit if the company does not rate heating and cooking devices in the active load. In a schedule that has come to my attention the rule provides that on the lighting circuits, incidental appliances not exceeding 600 watts for any one appliance, such as electric fans, flat irons, private washing machines, toasters, ranges of under 1½ kilowatts, and other similar household conveniences, should be omitted from the calculation of the connected load, and any consumer having a connected load of over two kilowatts of the above appliances may demand a separate meter and pay for the current consumed at the separate cooking and heating rate established in that place.

TAXATION OF RAILROAD PROPERTIES

Question. We would like to know what authority municipalities have to levy special assessments against railroad properties for local permanent improvements.

Answer. The grossly earnings tax law of Minnesota provides that rail-

roads owning or operating any line of railroad situated within or partly within the state, shall during the year of 1913 and annually thereafter, pay taxes equal in money to 5 per cent of their gross earnings, in lieu of all taxes and assessments upon all properties held within the state.

The courts have held that assessments, as used in the gross earnings tax law includes also special assessments against property for local improvements. It would appear, therefore, from the statement of this law and the interpretation that the courts have placed on the meaning of assessments, that municipalities do not have the right to make assessments against railroads for local improvements. The courts have further held, however, that this exemption from special taxation applies only to property devoted exclusively to railroad purposes. That is, if the property is not held for railroad purposes it is taxable in the ordinary way, which includes assessments for local improvements.

In your letter you state that the property in question has been advertised for sale and that it cannot be construed to mean "property devoted to railroad purposes." It would appear, therefore, to be subject to ordinary taxation, including special assessments. There is, however, a further proviso (and this is the important provision to bear in mind) and that is that where the charter by which the railroad acquired its properties exempts that property from taxation and assessments, the municipality has no right to levy special assessments, regardless of whether the property is or is not devoted to railroad purposes. That is to say, if in the public land grant there is a provision exempting the properties from taxation and assessments, this provision applies

to all these properties owned by the road, and is not limited by the construction of the gross earnings tax exempting only properties devoted to railroad purposes.

To ascertain whether there were such exemption provisions in the land grant, which are now the properties of the Great Northern Railway, it has been necessary to go back to the original charter, which is found in the early Session Laws of Minnesota. The record of these properties is as follows:

On May 22, 1858, the state territory of Minnesota granted to the Minnesota and Pacific lands granted by the United States to aid in the construction of a railroad from Stillwater via St. Paul and St. Anthony to the foot of Big Stone Lake, etc.

Section 18 of this act (Chapter I Special Laws of Minnesota, 1857) provided for a gross earnings tax of 3 per cent **"in lieu of all taxes and assessments whatsoever."**

The rights of this company were transferred to the St. Paul and Pacific in 1862. The Act read, **"All the rights, privileges, franchises, lands, properties and interests."** (Section 2, Chapter 20, Special Laws of Minnesota, 1859.) This is a sweeping statement and carries with it the exemption from taxation and assessment noted in the original land grant.

March 2, 1865, the time for the completion of the road was extended, and additional lands were granted, but the gross earnings provision was retained with the provision that the same should be **"in lieu of all taxation and assessments whatsoever."** (Section 1, Chapter 6, Special Laws of Minnesota, 1865.)

February 6, 1866, the First Division of the St. Paul and Pacific, the road mentioned in your letter of May 11, was

authorized to possess all the properties and privileges of the St. Paul and Pacific pertaining to that portion of the road from St. Anthony to the foot of Big Stone Lake, and from St. Anthony to Benton County (Section 1, Chapter 1, Special Laws of Minnesota, 1866.)

It appears, therefore, in answer to your question that your municipality does not have the right to order in walks and assess the costs against the railroad.

A NEW METHOD OF SEWAGE DISPOSAL.

The city of Milwaukee has begun the construction of a sewage-disposal plant that will cost \$3,000,000. Before deciding upon the system to be used, an experimental plant was built and the sum of \$65,000 expended upon scientific research under an experienced sanitary engineer, Mr. T. Chakley Hatton.

Experimental work at Manchester, England, in Massachusetts and in Illinois upon what was known as "activated" sludge led Mr. Hatton to undertake experimental work on a large scale, the results of which indicated the economy of the new method for that city.

In the experimental plant, sludge obtained partly from the lower chamber of an Imhoff tank and partly from fresh sewage was run into a specially constructed tank where fresh sewage was run through intermittently, and the mixture aerated by blowing air through. At intervals the air-treated sewage was allowed to settle and the top of the liquid drawn off. After about a month of this kind of treatment the sludge in the tank became "activated" and the flow of sewage and blowing of air was conducted continuously. The effluent obtained was as "clear as lake

water," largely free from bacteria and in a condition where further decomposition causing odors was extremely unlikely.

It is expected that the sludge obtained will have a value as a fertilizer, and that the cost of the process will be less than any other turning out an equal effluent.

MINNESOTA NUMBER

The readers of MINNESOTA MUNICIPALITIES will be interested in the February issue of the Journal of Geography devoted exclusively to Minnesota.

The topics for this number have been very carefully selected and include a treatment of the physical geography, driftless area, climate, water resources, iron ores, peat deposits, clay and quarrying industries, agriculture, Red River Valley, dairying, fruit growing, manufactures, Minneapolis, St. Paul, Duluth, the Range Towns, and Chapters on the growth and development of Minnesota.

The Journal of Geography is published at Madison, Wisconsin. The price for single copies is fifteen cents.

John W. Trask, Assistant Surgeon General of the United States Public Health Service says that the physician is first to know when pestilence is abroad in the community and that upon him rests the responsibility of reporting cases of communicable diseases to the Health Officer. The responsibility of protecting the individuals from such diseases is upon the Health Officer, since in the complex life of modern communities the individual cannot protect himself. He thus puts up to the physicians the responsibility for the existence of epidemics and their prevention.

Public Water Supplies and Fire Protection

By Frederic Bass
Professor of Municipal Engineering
University of Minnesota

To the physician and to the sanitarian, the quality of the public water supply is the most important feature of that service. From a more comprehensive view, the quantity is quite as important; there must be enough water for every emergency as well as good water all the time.

The quantity of water furnished to and consumed by a municipality is usually stated in terms of "gallons per day per capita." This varies from ten gallons in small villages where the use of the public supply is not general for domestic purposes and where there are few industries using water, to 300 gallons per day in certain large cities where water is paid for on a flat rate basis, where no precautions against waste of water are taken and where large users have special rates or free service. The general use of meters invariably tends to reduce the total consumption of water to an amount sufficient for reasonable use. The unreasonably excessive consumption of water is a direct tax upon the community, occasioning larger installations of machinery and reservoir capacity than otherwise necessary, as well as greater operating expenses.

Waste Without Metering

The purposes for which water are used may be classified as, (1) domestic, (2) commercial, (3) public. In cities where the total quantity of water supplied and delivered is carefully metered as high as 95 per cent of all water supplied may be accounted for. In communities where no measurements are

taken, as is common in many municipalities, it is safe to say that 40 per cent or more of the water pumped is often wasted or lost.

The Peak Load

The amount of water used varies from day to day and from hour to hour, and the design of the waterworks should depend upon these variations so far as they may be ascertained. Records taken have invariably shown some water being used throughout every hour of each day. About 5:00 A. M. a slight rise in the rate of use is usually noticed, which increases to a maximum about 11:00 A. M. A decided drop is noticeable at noon, especially in manufacturing cities; an afternoon rise follows and the demand is fairly constant until about 10:30 P. M. The maximum use during the day is ordinarily from $1\frac{1}{2}$ to $2\frac{1}{2}$ times the average.

The amount of water used for fire protection, however, must obviously be more variable. While the ordinary use of water from the public supply varies almost directly in proportion to the size of the city, the fire use does not. This is due to the fact that the fires that are likely to occur do not vary either in duration or magnitude, in proportion to the size of the city. It is not true that fires in cities of 10,000 may be expected to be ten times greater than fires in cities of 1,000 population.

Formula Measuring Fire Protection.

Engineers have recognized this fact and have sought to determine a rule or formula by means of which the quan-

tity of water necessary for fire protection may be determined. One of these rules is: Q equals 750 divided by the square root of x where x is the population in thousands and where Q is the rate at which water should be supplied in gallons per day per capita. For instance, a community of 2,500 population would require $2,500 \times 750$ divided by the square root of 2.5 or at the rate of 1,180,000 gallons per day, which is equivalent to about 800 gallons per minute, or four good fire streams. Another rule is: N equals $2.8 \times$ the square root of x where N is the number of fire streams and x is the population in thousands. In the instance just mentioned the number would be $(2.8 \times \text{the square root of } 2.5)$ or 4.4 fire streams. The ordinary use would be 100,000 gallons per day, one-eleventh of the fire rate.

On the other hand, if we take a city with a population of 100,000 with an average consumption of 70 gallons per day, the total daily consumption of water will be 7,000,000 gallons. The rate of use of water for fire protection will be $100,000 \times 1,000$ divided by the square root of 100, equalling 10,000,000 gallons, only a little larger than the rate of use for ordinary purposes.

If we assume then for the city of 2,500 population the necessity of delivering from 700 to 800 gallons per minute for fire, while 100,000 gallons per day, or only 70 gallons per minute is required ordinarily, it is immediately evident that the waterworks equipment for ordinary use must be supplemented by other apparatus for fire protection. Either larger pumps must be provided or water must be held in elevated tanks, stored against the time of need.

Direct Pumping.

In some cities water is pumped di-

rectly into the mains without storage, a system which has certain disadvantages. It may cause water-hammer in the pipes where reciprocating pumps are used, tending to weaken or destroy the pipes, where reciprocating pumps also to provide continuous operation of the pumps or to provide automatic starting and stopping equipment where electricity is used as a motive power. It is a system desirable where domestic consumption is extremely small in proportion to the fire hazard.

The usual system in Minnesota and elsewhere is to provide an elevated tank into which water is pumped at a high rate during a few hours of the day and from which it is drawn more slowly during the remainder of the 24 hours. Thus the ordinary consumption of water is well met.

This system has, however, as usually practiced, serious defects from the standpoint of fire protection. In order to put out fires, pressure of water as well as quantity is required. In order to secure pressure it is necessary to elevate the tank, and in order to secure enough to make the fire streams effective, a greater elevation than is usually obtained is necessary.

A Minimum of 175 Gallons

A fire stream of 175 gallons per minute should be the minimum for any community, especially in the business district. With a one-inch smooth nozzle on the hose, a pressure of about 38 pounds at the nozzle will be required. With this pressure a stream will be thrown to a height of 75 feet or a distance of 135 feet. However, in order to get this nozzle-pressure, a greater pressure must be furnished at the source. The water coming from the pump or elevated tank loses pressure by friction as it flows through the

mains and hose, especially in the latter. In a small well designed system of water mains, the loss of pressure in the mains should not be over eight pounds, but in 300 feet of 2½-inch hose the loss will be 27 pounds. The total pressure required at the source is, therefore, 40 plus 8 plus 27 equals 75 pounds, which is equivalent to an elevation of the surface of water in the tank of about 175 feet above the nozzle. It is unusual to find this condition and in many cases the elevation is but little over 100 feet with the tank half-full. This means that the fire stream will not only have less pressure but that the quantity thrown will be less.

It is this point that is emphasized here: that unless the water-level in the elevated tank is approximately 175 feet above the point where the stream is to be used, the city has inadequate fire protection and reliance should be placed on special pumps held ready for the emergency.

Fire pumps are not often called into use, and since the expense of operation is not important, high mechanical efficiency is not required. The fire pump should be reliable, connected with an engine or motor that is accessible, in a safe location, quickly and easily started. It should draw water from a source with ample supply to last through a serious fire. Enough water should be available in storage to meet the demand for from three to five hours at the maximum rate. In a municipality using 3-175 gallon streams or 525 gallons per minute, there should be available at least three hours supply, or approximately 100,000 gallons.

With such protection as has been outlined, any municipality of moderate size will not only have the best of protection against fire, a well designed water-system, with water adequate in quantity pressure, but will be able to take advantage of the lower insurance rates applicable in such cases.

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The League of Minnesota Municipalities

Organized August 21, 1913

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City Attorney of Austin	
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Purposes of the League.

To perpetuate and develop the League as an agency for the cooperation of Minnesota cities and villages in the practical study of city and village affairs.

To promote the application of the best methods in all branches of municipal service by holding at least one convention annually for the discussion of problems in municipal administration and by circulating information and experience thereon.

To secure legislation which would be beneficial to the municipalities of the state, and the citizens thereof, and to oppose legislation injurious thereto.

Fees and Dues.

The dues for each city or village shall be as follows:

Less than 500 population	\$ 5.00
500 to 3,000	10.00
3,000 to 5,000	15.00
5,000 to 10,000	20.00
10,000 to 20,000	25.00
20,000 to 50,000	30.00
Over 50,000	45.00

The League Needs Your Support and You Need Its Services

MINNESOTA MUNICIPALITIES

Devoted to Municipal Progress in Minnesota

VOLUME 4

JUNE, 1916

No. 3

Special Articles:

*Report of the Committee on Public Health
Winona's Dairy Inspection System and its
Results*

*Report of the Committee on Judicial Decisions
Trees for Park Planting in Southwestern
Minnesota*

MINNESOTA MUNICIPALITIES

VOL. 1

JUNE, 1916

581 1

Table of Contents

Editorials—

The Bill Board Summary	3
Make This Year's "Close-up" in Last	4
Mr. Guesell Leaves	5
Report of the Public Health Committee	6
Winona's Dairy Inspection System and Its Success	10
The Bugaboo of Taxation	16
Report of the Committee on Judicial Decisions	18
Water Works Construction at Hibbing	23
The Owatonna Telephone Case	24
Information Department—	
Weeds	25
Numbering Houses	26
Planting and Care of Trees	30
Trees for Park Planting in Southwestern Minnesota	28
Book Notes	31

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VOLUME I

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The Billboard Nuisance

When we plan the city beautiful we provide for streets and parks, and views as splendid as the land permits. Then comes the bill poster, and erects a wall upon which to paste his monstrous lithographs. And when the citizen goes out to enjoy the attractions of nature, he is everywhere confronted withimps shouting at him that if he would chew Horsefair Tobacco or Double-up Gum he will be happy and have no need of a good natural digestion anyway. If he prefer to look across the street, he can enlighten himself by reading of the superior merits of The Chicago Holdup Garter or of Louderstill neckties. It has never been shown that such advertng wins customers, yet it is paid for, and so the billboards are permitted to mar the scenery that might otherwise be admired, and to conceal the eyesores that might otherwise be cleaned up.

The city which sets about to rid itself of the billboard curse must proceed with great circumspection, lest it fail through attempting to abate the billboard solely on the grounds of ugliness. For although the belief is growing rapidly that the beauty of a city is a matter of public concern even as is its healthfulness and safety from fire, and as properly the subject of protecting regulation as are those, this view has not yet secured the sanction of the courts. The nearest approach to acceptance of it appears in a Federal case, in which the court recounted the objections to billboards upon other grounds, and added:

"Moreover, the views in and about a city, if unobstructed, constitute one of its chief attractions, and in that way add to the comfort and well being of its people. Billboards for advertising purposes, erected to any great height, would undoubtedly be subject to all these, as well as other objections, and such structures are therefore plainly within the regulating power of the governing body of the city." (In re Wilshire, 103 Fed. Rep. 620). This dictum is a recognition that aesthetic considerations might be accorded some weight in the matter, but as the case was decided upon other considerations, its value as a precedent is not to be accounted great.

State courts have refused to go even as far as this, and have rather consistently refused to uphold ordinances based upon aesthetic considerations. Chicago has perhaps as thoroughgoing a billboard ordinance as has any city in America. In upholding it in a recent case, (267 Ill. 344) the Illinois court was at pains to make clear that its decision was not based solely, or indeed at all

upon aesthetic considerations. The law does not yet recognize that an offense to the eye, however unsightly, so long as it does not exceed the bounds of decency, is to be regarded as a public nuisance.

The law does recognize that the billboard may increase the danger of fire in thickly settled districts, that it may afford shelter to disorderly or criminal persons, and that it may conceal noxious deposits dangerous to the public health. In the same Illinois case these considerations were held to be valid reasons for restricting the erection of billboards. These touch the public safety, health, and morals, and so justify precautionary measures.

The Illinois court in this case upheld the rather advanced method of control provided in the Chicago ordinance, namely, that of requiring the written consents of the owners of a majority of the frontage of any residence block before a permit may issue for the construction of billboards on that block. Thus if the residents of a neighborhood wish to keep their blocks free of the billboard evil, they have but to resist the application for a permit. It is in this direction that efforts must be directed for the time, then. What powers we have we should use with all diligence.

But we should not be content with these; we should not give up the aim of broadening the legal conception of a nuisance to include offenses to the eye as well as to the nose and the ear. Some day that is to be achieved; some day the billboard is to be outlawed. Meanwhile such restrictions should be so made upon the erection of billboards that those hereafter erected may be altogether done away with in the future. It is not enough to require the consent of a majority of the frontage owners on a block to permit the erection of a board. In another year, or shortly more, a different set of circumstances may obtain, and a different set of residents may wish to have the billboard removed. This right should be reserved. The alteration and repair of billboards, save for very minor repairs, should be subject to the like restriction as the original construction. Such a requirement, too, may be the means by which the existing billboards could gradually be eliminated, notwithstanding the vested rights claimed to exist in them. Their construction is flimsy always. If a permit difficult to secure were required for major repairs, such as replacing posts or braces, it is conceivable that many might be removed within a very few years.

Make This Year's "Clean-up" the Last

Those who dislike municipal "clean up" weeks are not agreed upon the reasons for their opposition. Some merely dislike the labor and the little expense and are willing to go on in carelessness and let the germs thrive as they may. Another tribe would do away with clean up week by such constant vigilance throughout the year that no dirt or garbage is permitted to accumulate, and consequently no special days need be set apart for the work of removing it. This is a wholesome creed, worthy to be adopted. That town or city which faithfully lives up to it may justly pride itself in having no Clean Up Week.

Mr. Gesell Leaves

City officials and others interested in municipal government, especially those who have attended the last two conventions of the League of Minnesota Municipalities, will learn with regret that Professor G. A. Gesell has severed his connection with the General Extension Division of the University of Minnesota. Since May first Mr. Gesell has been Commissioner of Public Affairs



in the newly-reorganized St. Paul Association of Commerce,—a position of authority and responsibility as well as a position that will give a wide scope to his native talent, his developing ability and his genuine unselfish inter-

est in the expansion and organization of municipal activities. The new position carries a much better salary than did the position he has left, and this statement alone is a sorrowful commentary on the financial resources of the State University. Mr. Gesell has earned this recognition by faithful and meritorious work in Minnesota for nearly three years. From the standpoint of the Extension Division it may be stated that furnishing this well trained and efficient man to meet a real community need with a civic and commercial organization like the St. Paul Association of Commerce is as fine and genuine a form of extension service as can be imagined. As head of the Municipal Reference Bureau in the General Extension Division Mr. Gesell has come into touch with the problems and perplexities of the growing and expanding Minnesota towns. By his helpful answers to specific inquiries and by his level-headed and sane attitude toward the whole subject of municipal progress, he has made a real and valuable contribution to the development of municipal government in Minnesota. There is a growing municipal consciousness in this state, a reaching out into fields of endeavor that shall bring to citizenship a fuller and richer life, and in the development of this consciousness he has had a worthy share. Mr. Gesell is progressive without being radical; a reformer without being an iconoclast. He is a forward-looking man, and his colleagues hope and anticipate for him in his new position a success commensurate with his ability and his ideals.

—R. R. P.

Report of the Public Health Committee

DR. I. J. MURPHY, Chairman, Public Health Association, St. Paul.

Last year the chairman of your committee on public health, Dr. H. W. Hill my predecessor in the Minnesota Public Health Association reported upon plans for handling communicable diseases. Many things combined to prevent the last legislature from appropriating funds necessary to carry through the most excellent outline presented by Dr. Hill into effect.

I doubt if all of you grasped the practicability of that plan. If its importance was understood by more people it would be put into operation sooner. To give an illustration: there is a lax accounting system in your neighboring town; this need not worry you (especially if you have invested your savings in your home town as you are supposed to.) An inefficient police department; neither need this concern you if you avoid the town entirely. Political rings in the saddle instead of informed citizens; even this need not concern you unless they become daring enough to bridle the health department. The bearing that the health conditions of one village has upon others and the state as a whole was well illustrated by the Benson typhoid epidemic which Prof. Bass told you about last year.

The last Federal Report places this State in an enviable position as compared with many other states in the United States registration area. The average death rate in the registration area was 14.1; for the state of Minnesota it was 10.4; the state of Washington alone had a lower record, 8.5. If the death rate of the state and the vari-

ous subdivisions is no worse than that of neighboring states, some may ask why should we be concerned.

The Cause of Our Low Death Rate

What is the cause of our favorable death rate? Conditions that are of most importance are seldom thought of or given due credit. It is not our wise health laws, regulations nor ordinances; it is not due entirely to an efficient State Board of Health, which by the way ranks fourth in this country; nor to resourceful local health officers, nor to competent private practitioners; nor to an adequately informed co-operating public. **Nature presents us with a most advantageous environment.** It is actually impossible for us to so pollute all our lakes and streams that they will convey typhoid all the time. Besides we have a daily immigration of young and vigorous stock from nearly all the states, as well as the most select of the foreigners reaching our shores. Many natural advantages will suggest themselves to one who reflects for a moment.

11,078 Lives Might Have Been Saved In Minnesota in 1914

The total number of deaths in Minnesota last year was 25,045; of these, 11,078, or 44 per cent fall in distinctly preventable groups.

Deaths chargeable to the most important groups were as follows:

Tuberculosis	2,363
Pneumonia	2,192
Accidents	2,051
Cancer	1,703
Child Diarrhea	1,021

Besides there was the toll caused by our rapidly growing, and as yet un-

*Read at the Virginia Convention of the League of Minnesota Municipalities, Oct. 20, 1915.

supervised industrial field; and another group becoming daily of more interest to persons of our age, known as the terminal degenerations; also those due to acute infectious diseases. Neither the state nor any of its municipalities should regard a death rate as favorable when about 50 per cent of the deaths, according to present day knowledge are preventable. New York State, Massachusetts, Maryland and Ohio (Ohio particularly in the industrial field) have funds for organizations which will put us to shame unless Minnesota takes a decided brace soon.

Work For the Future

Mindful of the important factors in our present and past death rate, what about the future? An example for the State as a whole can be found in many of the small cities.

Eveleth (population 1910 census 7,036) has a medical man who devotes his entire time to the health of the city—health officer and school physician. Eveleth also employs a whole time, year around, visiting nurse—an assistant health officer, school nurse, baby welfare nurse, tuberculosis nurse, truant officer and sanitary inspector all in one. Eveleth has an organization which no doubt would rank first among Minnesota cities by a Federal rating.

We have in this city of Virginia (population 1910 census 10,473) where we are meeting today, what I consider at the present date a good example for smaller cities of the State to follow. A young energetic, up-to-date whole time physician as assistant health officer and school physician, and a more experienced head as guide, recipient of public knocks, and what is most important, knowing the combination to the city vault.

Chisholm (population 1910 census 7,684) has a whole time school physi-

cian and school nurse, and a system which not only ranks first in Minnesota, but no doubt in the United States.

Cloquet (population 1910 census 7,031) has a whole time school physician as doctor and nurse.

Rochester (population 1910 census 7,844) has a whole time health officer and school physician.

Hibbing (population 1910 census 8,832) has a whole time school physician.

Duluth has a whole time school physician with an efficient school organization.

In Winona the milk supply is adequately safeguarded.

St. Paul has a whole time school physician with an efficient school organization.

Minneapolis has a whole time school physician with an efficient school organization.

Each of these cities except the three last mentioned is doing more than cities of their size should be expected to do without state aid. I believe it is asking too much to expect any except the three largest cities of the state to employ whole time physicians without some state aid. If the whole time physician acts both as health officer and as school physician, however, the plan is although somewhat expensive, practical for the smaller cities.

All cities of five thousand population or over however, should be expected to employ whole time year around visiting nurses. In fact a canvass of the Minnesota cities of five thousand and over shows that nearly all of them do employ a visiting nurse at least part of the year. Especially during the school term.

Eveleth and South St. Paul have utilized their nurses for numerous functions better than the other cities. St. Peter, during a threatening epidemic, had the visiting nurse visit the par-

ochial as well as the public schools. Results there and elsewhere have been so satisfactory to all concerned that where a visiting nurse is employed the parochial schools should be included on the same basis as are the public schools.

To say every city above 5,000 should have a visiting nurse does not imply that they are impracticable for smaller cities. There is no reason why with our new knowledge the nurse should not supplant the old sanitary inspector, certainly the old time contagious inspector. Any work that cannot be done by the visiting nurse could and should be done by the police department of the city. To demonstrate the usefulness of visiting nurses in smaller cities the Minnesota Public Health Association is offering **free**, the services for one month of five such nurses to cities above 3,000 that assist in the Red Cross Seal Campaign.

The Opportunity of the County Health Officer

So far as I am aware there is only one county health officer of this big state entirely alive to his opportunity. Furthermore, with excellent support from his county school board as well as from his county board of health he is doing things. The individual I refer to is Dr. G. F. Swinnerton of International Falls, a member of your Public Health Committee. The fortunate county is Koochiching.

Right here in St. Louis County similar work is needed much more than it is in Koochiching County. If you do not believe me ask the teacher in the rural school who travels two or three miles on skis to see why pupils are staying home and then travels ten or fifteen miles to a telegraph station to send to Duluth for a physician. At present, St. Louis County, particularly

in Duluth, is setting an example for the State in handling tuberculosis cases. No doubt in the near future cases needing the attention of a county health officer and cases needing the attention of the county physician will be more adequately cared for in this county also. Under our present County Health Officer law, any county can do what Koochiching County is doing.

Public Health Not a Joke

Too often the position of county health officer is regarded as a joke. Then too the salary like that of all health officers throughout the State is seldom adequate. In places where there is much unorganized territory as in all the northern Minnesota counties, the position of county health officer might be combined with that of county physician. Then the county physician should be in position to delegate his assistant nearest the case to care for it quickly, whether it be a contagious case or an accident. Counties should not expect to have this work done without paying for it.

"Politics" and the Remedy

You noticed I approved the plan adopted by Virginia. At present it seems some such scheme is necessary in order to protect a whole time man from "political frameups." You may ask if the small cities can afford whole time men why are the larger cities not employing whole time men? I believe the answer is this—"politics." Apparently the only way a whole time man should consider a position in one of the larger cities is to go as a loan from the State Board of Health, or from the United States Public Health Service. Under this system when it seemed advantageous he could return and a new man take his place.

Minneapolis is talking of employing

several whole time men, and having a complete reorganization of the department, to be effective about January 1st, 1916. It is hoped that the talk will materialize into something definite. Outside of their visiting nursing service, and in Duluth the milk inspecting service, the health departments of the three large cities of the State have nothing worth commenting upon. A rating of efficiency of organization by the Federal Department would be disgraceful to the State of Minnesota. In spite of a lack of organization, poor facilities and inadequate pay, the men in charge of the departments in the three cities are doing excellent work. In all three, Minneapolis, St. Paul and Duluth there should be a complete reorganization with the employment of whole time men, trained in public health work.

Spread the Knowledge

The real reason why diseases are not prevented to a larger extent in this State than they are is because knowledge regarding their prevention is not widespread enough. For certain groups, for example accidents, legislation is needed. But first and of most importance is the education of the public.

In a democracy like ours, legislation, no matter how urgent, is difficult to secure in advance of the average intelligence of the people. If advanced legislation is secured, well-intended but misinformed opposition will discount or nullify its efficient enforcement. (Tuberculosis workers encounter the latter almost daily.) To educate and keep informed on health matters about two and one-quarter million people, is the task that must be done.

This work should begin in and be chiefly centered about the school; as an adjunct to the school, the visiting nurse is indispensable. Next in importance to the school for the medical education of the public, comes "printers' ink," especially the daily papers.

The Minnesota Public Health Association is the clearing-house in this State for public health problems. Its object is to formulate interlocking economic plans for propaganda lectures, exhibits, publications, etc. It offers authoritative support in local undertakings and expects prompt response from local people concerning matters affecting the State. Supported entirely by voluntary contributions, it is doing much work that could be done by the State Board of Health, and the Extension Division of our great State University. It must continue propaganda, however, until appropriations necessary for such work are secured by the other bodies. A good sum for our budget comes from the Red Cross Christmas Seal Campaign. For this reason, as well as for its educational effect, these seal campaigns should receive substantial support in every locality.

As soon as the State Board of Health gets a large enough budget it should do much more educational work than it can do now. From the State Health Department on down to that of the smallest village the Health Department should be more an educational agency than strictly a police bureau. The day of a "police club" in health officers' activities has passed, except for a few exceptional occasions. The one urgent public health need in every community of the State is more information of an accurate nature upon health matters.

Winona's Dairy Inspection System and its Results

By Dr. R. W. Archibald, City Dairy Inspector of Winona.

There is no city today but recognizes that the purity of its water supply is a matter of public concern, and where the water is not pure public opinion demands that the authorities take steps to remedy the evil condition. In like manner the purity of milk is a matter of public concern, and should be controlled by public authorities. The danger to the health of citizens from impure milk is even greater in many respects than is the danger from impure water. For, next to bread, milk is used more extensively than any other food stuff. It forms a portion of the diet of almost every person every day. About one-sixth of the total food of the average family is furnished by milk and its products. No other food obtainable is so easily digested, and no other food contains, so properly proportioned, the nutriments necessary for the development of bones, muscles, tissues, and blood corpuscles. Its nutritive value is not yet understood and appreciated as generally as it should be, and gradually as this understanding and appreciation spread it will be used even more extensively than it is at the present time.

Absolute Purity Is Imperative in the Milk Supply

Unlike most articles of diet, milk is largely consumed in the raw state, and for this reason it is dangerous should it become contaminated with disease germs. Surely every owner of a dairy herd should regard it as an obligation to keep none but healthy cows, to supply them with clean, wholesome food and to keep them in comfortable, clean quarters. The milkers and all who handle milk should realize that they have in their charge a food which is easily contaminated, and they should take every precaution to keep it from becoming a menace to the health of themselves and of others. The consumers, on their part, must create a demand for a high standard of purity in

milk, before milk up to a safe standard will be extensively offered for sale. There has been too much indifference as to the cleanliness of milk on the part of the consumers. Too many desire merely to buy milk at a low price, and do not give it any consideration on the score of quality, except as to the location of its cream line. Of the two and a quarter million babies born in the United States every year, one and a half million—66 per cent—are bottle fed. And the mortality rate among these two-thirds is eight times as high as among the other third. Dirty milk may prove expensive, even as a gift; clean milk is economical, even at a high price. A slightly higher price per quart for clean milk is an excellent and a cheap form of insurance against sickness.

Winona's Beginning of Adequate Safeguards

In 1908 Winona took her place among the more progressive cities of the country in the matter of requiring a clean milk supply for her citizens. Chiefly through the efforts of Dr. Pritchard, the health officer, an ordinance was passed providing for the inspection of milk, cream, dairies, and for the tuberculin testing of the dairy herds. At that time dairy inspection was not considered an educational enterprise; instead, the inspector was looked upon as an officer of the law and his duties as being chiefly of the police nature. As a result, here as well as in other cities where this attitude was held and this policy was pursued, bitter feeling, even to the point of antagonism, sprang up between the health authorities and the dairymen. Of course this was not true in every case, for some of the more progressive dairy owners realized the value of such an ordinance and were stimulated to the production of a better grade of milk; but the complete co-operation that is absolutely essential in a work

of this kind was lacking, and consequently the improvement that should follow the passage of such a measure failed to develop. After some experience police methods were abandoned as a means of enforcing the ordinance, giving way to educational measures.

Testing for Tuberculosis

The application of the tuberculin test to the various herds received first attention. We used the subcutaneous

of sixty dollars. This provision does away with a great deal of complaint that otherwise follows the condemning of several animals in a herd, for the state thus takes the burden of the loss from the local authorities or the individual owner.

Acquaintance Is Essential

Aside from eliminating tubercular cows from the herds, the tuberculin testing served another very important



DAIRY BARN AT BRIARCOMBE FARM

Mr. Russel Smith, Milk Expert of the U. S. Dept. of Agriculture, scored this dairy 95½ at the last scoring contest

or thermal method—the only test endorsed and recommended by both state and federal authorities. It is considered accurate in 95 per cent of cases. The United States Bureau of Animal Industry furnishes the tuberculin free of charge, and a copy of each test is mailed to the Bureau for approval. Condemned cows are quarantined and later slaughtered under federal inspection. The state reimburses the owner two-thirds of the appraisal value of the condemned animal, up to the amount

purpose in acquainting the inspector with the dairymen and with the conditions at each dairy farm. About twenty-four hours are required to make the test, and most of this time the inspector spends at the dairy. He is thus able to note exactly the methods used at each, paying particular attention to the customary routine followed at milking time. This gives opportunities to make suggestions and recommendations to the dairymen to fit the circumstances in each case.

One Thing At a Time, and The Milking Pail First

In taking up a work of this kind it is a difficult thing to know just where improvement should begin. If, on the first visit to a dairy the time is spent in making countless suggestions, and, as it seems to the owner, in criticising everything on the place, he is left in a confused state of mind, and perhaps feels that it would be better for him to quit the business entirely. With this in view the requisites that enter into the production of clean milk were gone over very carefully and it was decided to take them up one at a time, and as soon as each one thing was accomplished to suggest another, and so on until the whole set were covered. For instance, the first thing started was a campaign for the use of the small-top milk pail. The advantages of this form of pail are not so widely known as they should be. By the use of the small-top pail milk is secured in the cleanest, simplest, and most economical manner. Most dairy authorities will agree with the statement that from 75 to 80 per cent of the dirt that gets into the ordinary large mouth pail may be kept out through the use of a pail with a small top. Investigations made in the larger cities have repeatedly shown the bacterial count to be from 30 to 40 per cent lower in milk from dairies where this pail is used, than from dairies using the old-style pail. With the small-top pail the dirt is kept out, rather than being strained out later, minus the germs, as in the case with the wide-mouth pail. When once the producer actually sees how much filth falls into the common pail as compared with the small-top, that man is immediately converted to sanitary methods of milk production.

A Thing Unknown

But when the Winona campaign began, the small-top pail was virtually an unheard-of thing to the majority of producers, and there was in the ordinance no provision requiring the use of this pail. For a time success in this first campaign looked dubious. Then a letter was sent to each producer, in which the merits of this type of pail

were brought out, and the daily papers devoted considerable space to this issue, stating in detail the improvement that would result from their use. Finally as a result of our efforts in this direction, one of our largest milk dealers assented to a plan suggested to him whereby he would present two of these pails to each of his producers, if each in return would bring in two large-mouth pails. He then, through advertisements in the local papers, called the attention of the consumer to the fact that in future all milk bottled at his depot would come only from dairies that used this pail exclusively. A demand was thereby created for milk handled in this manner, and as a result his competitors were forced to make their producers the same offer. In a comparatively short time the majority of the milk brought into the city was milked into the small-top pail.

Other Improvements Follow

The various other improvements that were suggested from time to time were in the most cases accepted with the same success as was accorded the small-top pail. In a short time the producers came to recognize the fact that these requirements were not merely fads and fancies, to be forgotten in a short time, for not only were they an aid in producing cleaner milk, but were a valuable asset in the management of a successful dairy.

Grooming Milch Cows

Grooming of the cows, which is a very important factor in producing clean milk, had previously received little or no attention, notwithstanding that custom demands that the horse which draws a manure spreader or a garbage wagon be kept clean. It was pointed out to the dairymen that there was every reason for extending this custom to include the animals which produce an article of food for human use. Clipping the long hairs of the tails, flanks, and udders of the cows is the easiest and simplest way of insuring clean cows, and also lessens the work of grooming them. In order that this might be generally done each dealer purchased a clipping machine

and rented it to his producers for a small daily charge. These clippers were used on most of the herds and the results were so apparent and so good that this requirement will not need any further agitation.

Whitewashing the Barns

The ordinance requires that all barns be whitewashed annually. To help enforce this provision, and in order that it might be done in the most economical manner, each dealer purchased a spraying pump and rented it to his producers for 25 cents a day. With it the ordinary barn can be whitewashed in half a day, at a great saving of time over the older method of brush application.

Modern Barns and Milk Houses Built

Seven modern barns and eleven milk houses have been built within the past year and a half, and at the present time three barns are under construction. In twenty of our barns one will find proper ventilation and the required four square feet of window light per head. In 1914 there were fourteen of the dairies which had no milk house, whereas in 1915 but four lacked this necessary equipment.

Proper Handling Emphasized

Through the summer months special stress is laid upon the proper handling of milk, for it is at this time that a contaminated milk supply is most dangerous. From time to time letters were sent to the dairymen with instructions in regard to the proper methods of cooling, storing over night, and conveying on the trip to town. At every point we tried to impress upon them the importance of these things—milk must be kept clean, cooled quickly, and carried properly. Contests were conducted at the various depots of the city. At each place a prize of one dollar was awarded each week to the producer having the cleanest sediment test, and a similar amount was given to the one delivering the milk at the lowest average temperature for the week. Results of these tests were posted in tabulated form at all depots and also published

in the Winona papers. In this way every producer could learn just how his milk compared with that of other producers. There was keen competition for the prizes offered and much improvement both in the elimination of sediment and in temperature was the result.

Milk Bottles Must Be Sterilized

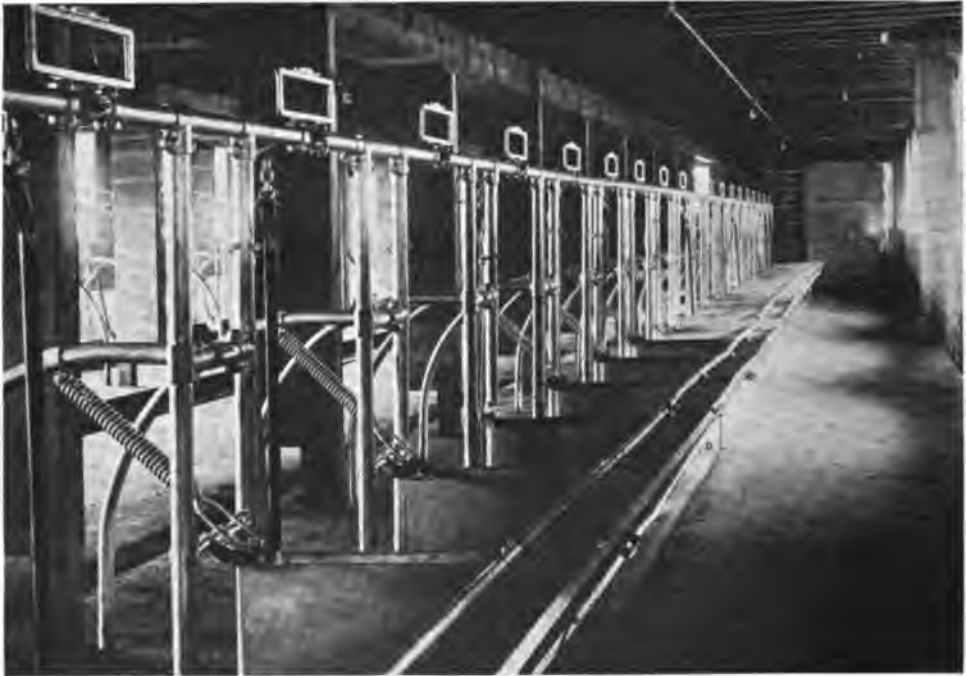
With but one exception no amendments to the original ordinance have been made. The one amendment adopted requires that all bottles must be sterilized in live steam before being refilled with milk. This is a feature that is lacking in most ordinances, and the lack of which is undoubtedly the source of much danger. The common practice of washing milk bottles consists of placing them in a tank containing warm water and some washing preparation, and of rinsing them in cold or perhaps lukewarm water. It had been the custom of many of the grocers to buy milk in bulk and bottle it in the back room of their stores, and the most of them had no facilities whatever outside of a tub and cold water for washing the dirty bottles. It can be readily seen that such practices are a stimulus and not a hindrance to germ growth. When one considers the possible sources of contamination that a milk bottle is subjected to from the time it is left on the porch until it is returned to the filling depot the dangers are evident. In Winona, as an extra precaution, we have insisted that milk bottles shall not be left at a house where contagious disease exists, but that the milkman empty them into a receptacle provided by the housewife, and return the empty bottle to his wagon. At the present time sterilizing ovens or other suitable apparatus are found at every dairy and depot where bottles are filled, whether only a few or a large number of bottles are washed daily.

Checking Up To Learn the Results

In order that the result of the first year's inspection might be checked up, and believing that a bacterial count, made by some reliable outside source would serve this purpose best, appli-

cation was made to the state board of health. As a result in August, 1914, Mr. H. A. Whittaker, assistant director of the division of sanitation, and Mr. B. W. Mohler came to Winona to proceed with this work. Samples of milk were collected at the dairies, at the milk depots and on delivery wagons. These points were selected in order to determine the condition of the milk during the various stages from the dairyman to the consumer. The sam-

of bacterial counts as reported by the authorities in numerous cities throughout the country will appreciate what this meant to us. Mr. Whittaker in his report on the work says in part, "These results corroborate the field observations, which show that the dairymen are taking unusual precautions in the handling of milk, and the dairies are fast approaching an ideal in the way of cleanliness and construction."



INTERIOR OF O. S. BUNDY'S DAIRY BARN
This barn scored $39\frac{1}{2}$ points on equipment out of a possible 40

ples were taken at a time of the year when bacterial counts run highest, and we were greatly surprised at the results obtained. Seventy per cent of the samples collected at the farms gave a count of less than 10,000; 38 per cent of the milk delivered at the depots gave a count of less than 10,000, and 40 per cent of the milk collected on the wagons about town gave a count of less than 100,000. Only one sample showed more than 500,000 per cubic centimeter, the maximum allowed by law. Any one familiar with the results

Prizes for the Best Kept Dairies

In all cities where milk ordinances have been in effect for any length of time a system of scoring the dairies has been adopted and very favorable reports have come from its use. A score card gotten out by the dairy division at Washington is the one commonly used. By it the factors that enter into the production of sanitary milk are scored on a basis of 40 points as a perfect score for equipment, and 60 points for methods, making 100 perfect score. It was decided to make

this an annual feature in Winona, but a slight variation from the course pursued in most cities was to be followed. An inspector sent by the state or government was to do the scoring, and to stimulate interest in this contest prizes were to be offered from year to year. Last fall the Winona Asso-

eral prizes. The source of these prizes cannot but bring to the attention of the producer that the pure milk issue is of widespread interest to the city.

What the Scores Showed Us

The detailed results of the scores were printed in both of the local papers, together with comments on each place and pictures of the lowest as well as the highest scoring dairies. In 1914, when an inspector from the state dairy and food department did the scoring, the average score of all dairies was 62. Last fall it was done by Mr. Russell Smith of the department of agriculture at Washington. Mr. Smith's conception of an ideal dairy was somewhat higher than we were accustomed to, and in his scoring he was extremely critical. Nevertheless the average score was 70. This would mean still more to us were we able to publish with it a list of scores made in other cities. But for reasons plainly evident with but few exceptions such figures are not available. In 1914 the Minneapolis papers published the scores of forty dairies delivering milk to the city, the average of these being 26. The same year a survey of a majority of the dairies supplying Urbana and Champaign, Illinois, showed a total average score of 25.5. Mr. Smith stated that though facts were not available in all cases, in all probability no other city of our size in the country had an average that could approach this. The following statistics will show in part the result of our last score:

In 1914, 30 per cent of the dairies scored over 65.

In 1915, 70 per cent of the dairies scored over 65.

In 1914, 5 per cent of the dairies scored over 80.

In 1915, 24 per cent of the dairies scored over 80.

On the government score card five points are allowed for the exclusive use of the small-top pail. The first year these pails were found on two farms and a total of ten points was allowed for their use. Last year they were

DR. ARCHIBALD'S WORK

It has been very gratifying to this Board to find a municipality taking such active measures to improve the public milk supply. This has been especially true of the city of Winona. Investigations made by the Division of Sanitation on August 10-14, 1914, showed that very good results were being accomplished by the measures then in force and the educational propaganda being carried on by the local authorities. One of the principal conclusions drawn from this report was as follows: "A summary of the investigation shows very commendable results and illustrates what can be done by coupling a campaign of education with careful inspection work in securing a clean milk supply." The local officials under whose direction this campaign has been carried on deserve a great deal of credit and the support of the public at large.

Dr. H. M. Bracken,
Secretary, Minnesota State
Board of Health.

ciation of Commerce gave us one hundred dollars to be given to the three dairymen having the highest scoring dairies, and to the three showing the most improvement over their first score. The association has made the same offer this year and in addition several business firms have offered lib-

found to be in use exclusively on thirty-seven farms and in partial use on nine. A total of two hundred and nineteen points was allowed for their use.

Footing the Bill for Pure Milk Insurance

The expense connected with the enforcement of an ordinance of this kind is not inordinate. The inspection fee charged each Winona producer is regulated in this manner:

For the tuberculin testing of the first animal in a herd One Dollar and Fifty Cents, for the second, One Dollar, for the third, Seventy-five Cents, and for each additional animal, Fifty Cents. This is the only means of revenue we have, as no charge is made for issuing licenses to milk depots or stores. Over thirteen hundred head of cattle were tested in 1914, bringing into the city treasury about six hundred dollars.

This pays approximately one-half of the expenses incurred by this branch of the health department. The same ratio of expense would hold for smaller cities, so it cannot be that this factor need keep so many of them from adopting similar ordinance.

In conclusion it may be said that pure milk can be obtained under the ordinary city health ordinance. It is necessary, however, that the person in charge use the proper means. The generation of a spirit of rivalry and competition between producers and also between distributors works the best results. Practical, tactful publication of competitive scores and conditions arouses the pride of dairymen and of their own free will they will seek to raise their standard. Absolutely no progress can be made unless a spirit of co-operation exists. Wholesale arrests and discouraging criticism will only end in failure.

The Bugaboo of Taxation

By **FREDERIC H. BASS**

A man who expends large sums of money is not necessarily extravagant; his expenditures may indicate his prosperity and business judgment. Neither do large expenditures of municipal funds indicate extravagance; a high tax rate may be a sign of progress and a measure of public activity for the public good. Taxes constitute an evil only when the proceeds are used thoughtlessly and heedlessly. When municipal funds are expended wisely, the taxpayer is making his safest investment.

A city government exists because men have found that group action is necessary for the accomplishment of some purposes and desirable for many others. The individual participates in community life by paying taxes for a service, such as that received from a public water supply and so relieves himself and members of his family

from time-consuming labor. His taxes are increased, but he has more time for business and recreation. His returns from taxes are greater as the value of his time is greater. Grumblers against taxes are generally among those whose time is worth little. The really valuable members of a community seldom object to taxes which are to be used for a public service; they realize that the burden imposed by the tax is less than that lifted by the service and that there is a net gain.

Thus a public water supply relieves the individual from the necessity of pumping or carrying water by hand, gives him water under pressure making many household conveniences possible, gives him the only sanitary means of sewage disposal, furnishes fire-protection and furthermore provides the opportunity of a supply of water of good

quality which may be much more easily maintained than can a hundred separate supplies.

Thus a refuse and garbage collection system in a municipality is the only feasible way to maintain community cleanliness. The prompt and effective removal of refuse from all private ground by individual action is too troublesome and expensive to be done, and so we see many unkempt and filthy backyards of houses and stores in many of our cities and villages. It is little better than useless for a man to clean up his own premises if his neighbor's yard remains unclean. It is little better than disgrace for a man to leave his yard unclean after all his neighbors' are all cleaned up. Community action is the solution of the problem, yet fear of taxes often prevents it. Yet the cost of cleaning up by a carefully planned system of collection and disposal is not large. Refuse may be burned and its fuel value realized. Garbage may be reduced to fertilizer and grease and a profit realized in all except the smaller

cities; the City of Pontiac, Michigan, has installed a five-ton garbage reduction plant recently and has operated it with a profit.

Other examples of like municipal enterprise are too numerous to mention, and it may be said that the fact is established that in the countries where the least poverty exists, where the average citizen is better off than elsewhere, in that place we witness community action highly developed, and where civilization is at the lowest ebb, we see little of co-operation and many petty antagonisms, and in the first we find taxes many times higher than in the latter.

Careful analysis of municipal expenditures and the returns from each item of expenditure furnishes the only intelligent method of criticizing taxes. The prospective resident in selecting his future place of business and his residence will follow this plan; he will not fear high taxes. His interest is to inquire as to what results have been obtained.

—F. H. B.

The League Is Growing

From January 26 to May 22, 1916, twelve members were added to the roll of progressive cities in the League, making a total of one hundred fifteen. Every city in the state of ten thousand or more population is enrolled. Of the fifteen cities between five thousand and ten, in population, nine are members of the League; of the fifteen having a population between three thousand and five, eleven are members; sixty of the two hundred twenty places of from five hundred to three thousand are members of the League. A number more have expressed an interest in joining the League, and with the aid of the member cities the enrollment should be

much larger yet before the October Convention. Tell your neighbor cities the advantages of membership, and let us welcome them in.

The new dozen we have to introduce to the old members are as follows: Balaton, Chisholm, Gaylord, Goodhue, Hewitt, Kenyon, Marble, Red Lake Falls, Rochester, South Stillwater, Wabasha, Warren. We are right proud to have them with us.

Since the above paragraph was put into type we have received the enrollment of the Village of Wells, in Fari-bault County, and so are enabled to add this progressive village to the list.

Report of the Committee on Judicial Decisions*

To the Members of the League of Minnesota Municipalities:—

The undersigned committee duly appointed by President Jenks of the League of Minnesota Municipalities for the year 1915 on Judicial Decisions, hereby submit the following report covering said decisions of the Supreme Court written and decided since September 1st, 1914, to October 1st, 1915.

The interpretation of the laws by the judicial branch of our government, especially in so far as the same concerns the affairs of cities and towns are of vital interest and importance to every municipality and to each officer thereof. During the past year over thirty cases have been decided affecting the rights and remedies of municipal corporations and municipalities and the officers thereof, and it shall be our intention to cover in a very brief manner the most important of these decisions.

Annexation of Territory

The case of *State ex rel Smith vs. City of Gilbert*, 149 N. W. 951, the question of annexation of territory to villages was discussed by the Supreme Court and in which it was held as follows:—"Properly construed, Chapter 113, Laws 1909, providing for annexation of territory to villages and cities, applies both to existing and future municipal corporations of that kind. The clear intent expressed in the first part of the first section to include future as well as existing villages, aided by the presumption that the legislature intended to pass a constitutional act leads to the conclusion that the word present in the latter part of that section refers to the village limits as present or

existing at the time of the institution of the annexation procedure and not at the time of the passage of the statute."

It was further decided that it was no valid objection to the village annexing that territory properly conditioned to be annexed was not included, as well as that the fraudulent and lawful colonization of the annexed territory by residents of the village prior to the election and their taking part therein, assuming that it can be raised in this proceeding, did not change the result; for if all such illegal votes are rejected, and that number deducted, from the votes cast in favor of annexation, the proposition still received a majority. Territory annexed to a village, like territory originally incorporated, must be so conditioned as properly to be subjected to village government, and it does not appear from the record herein that the territory annexed was not within the condition mentioned.

Safety Always

Section 2632 of General Statutes of 1913, was reviewed by the Supreme Court in the case of *Johnson vs. Young*, 149 N. W. 940, as follows:—"This section, requiring operators of motor vehicles to slow down in approaching or passing a street car, which has been stopped to allow passengers to alight or embark, and to stop, if necessary, for the safety of the public, was intended to create a zone of safety around and about the entrance of such car, by placing the burden of the lookout upon the driver of the motor vehicle; and hence one alighting from a standing street car is not obliged to keep a lookout for automobiles, under penalty of being charged with contributory negligence if he fails to do so."

*Read at the Virginia Convention, Oct. 21, 1915. Such interesting matter has had to be omitted on lack of space.

The same question was also before the Court in the case of *Kling vs. Lumber Co.*, 149 N. W. 947, and it was held that the conductor of a street car was within the class of persons for whose benefit the statute requires motor vehicles to slow down, and if necessary for the safety of the public to stop not less than ten feet from a street car which is receiving or discharging passengers. And further, that while a street car is receiving and discharging passengers, pedestrians to and from the car have the right of way, and it is the duty of an auto driver to stop, if necessary for their safety, and, if he does not stop, to exercise such care in the management of his machine, as, under the circumstances, shall appear to be reasonably necessary for the safety of the passengers.

The case of *Daly vs. Curry*, 151 N. W. 274, as well as the case of *Armstad vs. Lounsberry*, 151 N. W. 542, relates to collisions with automobiles on streets in cities. The evidence sustains a finding that plaintiff was not negligent in making the turn. The law of the road has no application to such a case. Violation of a city ordinance requiring a driver to look to the rear before turning is negligence per se, but if one riding with him looks and then directs him to go ahead, the ordinance is complied with. The fact that plaintiff's automobile is not registered as required by law does not prevent his recovery. Violation of law on the part of plaintiff which will preclude a recovery for an injury sustained by him must bear to the injury the relation of cause to effect.

Special Charter Election

When a common council refuses to call an election for the submission of a charter duly returned by the charter commission upon the ground that it

should have been submitted at a state election occurring after its return to the mayor, at which election the council did not submit it, it will be compelled by mandamus, there being no laches, to call an election within the time fixed by Gen. St. 1913, Sec. 1348, regardless of whether the intervening election was one at which the charter and the remaining two commissioners might properly be submitted. Case of *State vs. Barlow*, 151 N. W. 970.

The Preferential Ballot System

Though some of the most essential and basic principles of our present State and Municipal Election Ballot plan have been brought from far away Australia, it remained for the City of Duluth to inaugurate and put into effect in one of the three metropolitan cities of the commonwealth of Minnesota, the striking, not to say startling, innovation in its ballot plan for the election of municipal officers, known as the Preferential Ballot System. As this plan was entirely new to the State of Minnesota and almost entirely new in the United States except as applied to primary elections, it is deemed worthy of note and comment.

In December, 1912, the City of Duluth adopted for its government a very carefully prepared and well thought out home rule charter in which provision was made for a Commission form of government, consisting of five commissioners, one to be designated as Mayor. Under this new home rule charter, so adopted, provision was made for the election of the commissioners to constitute the governing body of said city, which election was to be held, and was held in April 1913, at which election a Mayor, four additional commissioners, a special municipal judge, and an assistant municipal judge, the latter to preside over a branch municipal

court, were elected. The plan of ballot provided for and used in said municipal election was and is known as the Preferential Ballot upon which provision was made whereby a voter could register his first choice, second choice and additional choices for candidates for the various offices to be voted upon at said election.

After the election was held and the result declared by the canvassing board, it was found, as is not unusual in the City of Duluth, that the contest had been exceedingly close as to certain candidates for the office of Mayor and certain candidates for the offices of commissioners. As to the office of Mayor, it was found that no candidate (and there were many for that office) had received a majority of all of the first choice votes, that no candidates had received a majority of first and second choice votes added together, and that it was necessary under the charter provision to add together the first choice votes, the second choice votes and the additional choice votes, for the office of Mayor, in order to determine by a plurality vote which of the candidates was elected, and the canvassing board declared the candidate receiving such a plurality duly elected. Many contests were instituted and three of said several contests reached the court of last resort in this State and were there duly determined. These respective contests are as follows:—

Farrel vs. Hicken and another, 125 Minnesota, 407.

McEwen vs. Prince, 125 Minnesota, 417, and

Silberstein vs. Prince, 127 Minnesota, 411.

In these respective contest cases many of the salient features of the Preferential Ballot System were reviewed and ably discussed by the Supreme

Court, and the charter provisions interpreted and applied, as to the marking of ballots, the counting of the votes under said charter innovations, and many points brought out and determined having a general bearing upon the conduct of elections and the counting and canvassing of votes, with the general result that each and all of the contestees, the persons declared by the canvassing board to have been elected, were determined by said Court to be the duly elected officers of said city pursuant to said charter and the particular plan of voting therein provided. No contest was instituted as to the office of Special Municipal Judge, and no question then raised as to the application of said charter provision to the election of a Municipal Judge, and the City Government was thenceforth carried on under the management and government of the officers so declared to have been elected at said municipal election held in April, 1913.. At said election, the Mayor and two of the commissioners and the special Municipal Judge were elected for four years, and the remaining two commissioners for two years.

In April, 1915, another municipal election was had in which two commissioners and a Municipal Judge were voted for and two candidates for the office of commissioner were declared by the canvassing board to have been duly elected and one of the many candidates for Municipal Judge was, by the addition of first choice, second choice and additional choice votes, declared by the canvassing board to have been elected Municipal Judge by a plurality of all of said respective choice votes; the person so declared elected was the candidate Smallwood, whereupon the incumbent of said office, Windom, having received the highest number of first choice votes, refused to sur-

render his office, and contests upon various grounds were instituted, with the ultimate result that the contest instituted by a taxpayer, named Brown, against the contestee, Smallwood, reached the Supreme Court and was there elaborately and ably tried, and thoroughly and laboriously considered and determined by the Supreme Court, upon two particular questions, viz:

1—Could and did the Preferential Ballot System provided for in said city charter, apply to the office of Municipal Judge, which is in a certain sense a State office, and to which no direct reference was had in said city charter?

2—Was the Preferential Ballot System provided for in said city charter constitutional, and therefore effective as the plan or scheme of voting as to any of said officers, Judgeships, Commissioner-ships, or Mayor?

On the first question, the Supreme Court held, that though the municipal judgeship was a State office, it was nevertheless a local office, and the Municipal Court, a Court of limited jurisdiction, and that, in short, it was competent for the voters of Duluth to provide a plan or scheme for the election of Municipal Court Judges in the same manner and to the same extent that they could provide for the election of city officers and that, insofar as the mode of election is concerned, the Municipal Judgeships rested upon the same basis as all other Municipal officers.

On the second question, the Supreme Court, by its majority opinion held and determined that the whole plan and scheme of the Preferential Ballot System is in contravention of Article 7, Section 1, of the Constitution of the State of Minnesota and wholly unconstitutional.

Constitutionality

The constitutionality question of the

Preferential Voting System provided by said city charter had not been strictly raised or passed upon in any of the cases herein above cited, and was not raised as to the election of commissioners in the April, 1915, election, but came before the Supreme Court for the first time on the appeal of taxpayer, Brown, in the case of Brown against Smallwood, reported in 153 N. W. on page 953, the appeal being taken from the decision and judgment of the District Court of St. Louis County, in which contestee, Smallwood, was declared elected. The time for contesting the election of commissioners in the 1915 election having passed, as well as the time for contesting on constitutional grounds the election of Mayor and commissioners in the 1913 election, it is held that these officers are at least de facto officers and that the city of Duluth is not thereby left without a city government.

The election of Municipal Judge having been declared invalid as aforesaid, question then arose as to whether or not a vacancy existing in the office of Municipal Judge was to be filed by the Governor as in the case of other vacancies. The Governor ultimately determined that a vacancy existed and appointed Smallwood to fill said vacancy and his right to the office under such appointment is yet to be determined in Quo Warranto proceedings, which have been instituted in the Supreme Court, and at this writing have not been determined.*

Many questions such as the validity of the acts of the Court,† done and performed by its various claimants to that office during the present unsettled conditions, the right to salary of the

*Judge Smallwood's appointment has been confirmed by the court, to hold until 1917. *Smallwood v. Windom*, 131 Minn. 401, 155 N. W., 629; *Windom v. Prince*, 131 Minn. 399, 155 N. W., 628.
†All acts of both incumbents while in office are held valid by the court.

respective claimants to said office, and the right to salary of the respective appointees of the various claimants to said office, and a host of other questions, more or less important, arise, which will be most interesting, and the determination of which will add materially to the adjudicated law of the State of Minnesota in municipal matters, and will continue to challenge the interest of lawyers, judges, municipal officers, and the general public in the State of Minnesota for some time to come.

Much space has been given to this matter because the questions which have arisen and have been determined and are yet to be determined are of absorbing interest and of great importance in making up the Body of Law governing Municipal elections and the right and powers of de facto Municipal officers in the State of Minnesota.

Time of Veto

The question as to when an ordinance may be vetoed was discussed and considered by the Supreme Court in the case of *State vs. Roderick*, 151 N. W. 904, and in which it appears that an ordinance duly enacted by a municipal council was by the city clerk formally presented to the mayor for his approval or disapproval; subsequently, on the same day, the mayor requested the clerk to withdraw such presentation and to make a redelivery thereof to the mayor on the next following day; this the clerk agreed to, and he "took back" the ordinance and caused a redelivery thereof to the mayor on the following day. It is held that the time within which the mayor might veto the ordinance commenced to run on the first presentation of the ordinance; and since such presentation was in fact made, and the official duty of the clerk was completely performed, the effect thereof could not be destroyed by an agreement with the mayor to make

another presentation at some later time. The disapproval of the mayor, not having been made within the time prescribed, was ineffectual, and the ordinance became a valid enactment, and the respondent was properly required by the judgment to publish the same.

Removal of Police Officers

The case of *State ex rel. Furlong vs. McColl*, 149 N. W. 11, is a case of considerable interest and in which it was decided by the Supreme Court that the St. Paul City Charter gives to heads of departments the right to remove subordinates by the method described in the chapter on civil service. This provision restricts the right of removal inherent in the power to appoint, and there is no right of removal except upon requirements with the civil service chapter. In connection with this charter it was decided that on account of the fact that a later appointment as a member of the police force had been confirmed could not be urged against his right to contest an irregular removal that he was over age when appointed on the police force.

In concluding this report, the undersigned desire to state that there are a large number of decisions of the District Courts as well as the Supreme Court of the State of Minnesota, affecting the liabilities of public service corporations in many ways and limiting the rights, duties and responsibilities of towns, cities and villages, but we have deemed that the foregoing report is of sufficient length and that decisions along these other lines will be taken up and considered in reports of the proper committees.

All of the foregoing is respectfully submitted.

VICTOR E. ANDERSON,
Chairman.

JOHN DWAN,

J. O. PETERSON,

Committee on Judicial Decisions.

Water-Works Construction in Winter at Hibbing, Minn.

By R. E. McDONNELL*

Hibbing is the largest incorporated village in the world—population, 12,000. Owing to the valuable iron ore deposits beneath the site, its assessed valuation is approximately \$80,000,000, making it the richest village in the world.

The old water-supply became contaminated by the mining operations, and the water level was lowered because of the draining of the iron mines. The new supply is procured from a series of eight 30- and 36-in. wells, sunk from 50 to 125 feet into the glacial drift. These wells are from $\frac{1}{2}$ to $1\frac{1}{2}$ miles apart. Each is housed in and provided with a motor-driven Layne centrifugal pump. The wells are cased with Layne patent shutter screens and are of such diameter as to permit large-capacity pumps being placed directly in the wells. One of the wells in a continuous 17-day test yielded 1,000,000 gal. in 24 hr.

The water from each well is pumped to a centrally located reinforced-concrete reservoir of 1,000,000-gal. capacity. Adjoining the collecting reservoir is a main power house in which are located four electrically operated pumps that force the water from the collecting reservoir through approximately 6 mi. of 18-in. main to a 300,000-gal. elevated steel tank located in the village.

For each of the eight well pumps there is a remote-control electrically operated device that starts and stops the pumps, so that the wells may be pumped all at one time or individually.

The centrifugal well pumps have, under test, showed an efficiency as high as 72%. The high-duty pumps in the main power house have a higher efficiency and have a total capacity of 5,500,000 gal. per 24 hr. These pumps are of Platt Iron Works manufacture, with Westinghouse motors.

A Daily Supply of 3,000,000 Gal. or No Pay

The contractor guaranteed to deliver a total of 3,000,000 gal. of water per 24 hr. Failing to secure this volume of water, the village was to be at no expense whatever. Another guarantee feature was that the water was to be secured at a location free from mine drainage and that the character of the water was to meet the approval of the state Board of Health, which made frequent analyses as the work progressed. Another feature of the guarantee was an important one in the development of well supplies—that is, the avoiding of drawing down the water plane between certain limits. This is accomplished by scattering the wells and by pumping from them intermittently at various locations, thus maintaining a uniform water plane over the entire collecting area of about 9 sq. mi. The contractor, before entering into the guarantee, made his own tests, determining the formation and geological conditions. From the eight wells completed, tests show that approximately twice the guaranteed volume of water has been secured.

All the water is delivered to the discharge mains through a venturi meter.

*Of Burns & McDonnell, Consulting Engineers.

The pumps are electrically operated, a separate panel and switchboard being arranged for each well pump. The four high-duty pumps are so arranged that they can be operated in series, giving direct fire pressure when needed. The steel tower and tank have an electrically operated cut off valve controlled from the main station. The power house is equipped with a hot-water heating plant, shower baths and lockers, and the whole building is of fire-proof construction. An overhead crane is provided for handling machinery and equipment.

Since construction work began, the variation in temperature has been from plus 100 degrees in the shade to minus 54 degrees, the low record having been obtained in January, 1916. The discharge lines into the village are being laid at a depth of 10 ft., to insure against freezing.

The cost of the improvement was approximately \$500,000, which was met by village warrants. Only 18 months' actual construction time was required for the completion of the work.—Engineering News.

The Owatonna Telephone Case

In the case of the application of the City of Owatonna to the Railroad and Warehouse Commission, asking that physical connection be required between the Tri-State and the Northwestern telephone companies in Owatonna, hearings were held at the offices of the commission April 3, 4, 5 and 6, at which the Northwestern Company presented its arguments against such an order's issuing: That the Northwestern is prepared to render sufficient and satisfactory service, that if the connection were required it would deprive it of a great advantage it now enjoys from its exclusive service, and that its property would be taken for the benefit of a competitor. It also contends that the statute is unconstitutional and that the Commission has no authority to make the order prayed for, which it is contended would work irreparable damage to the Northwestern.

The Tri-State company in answer to the petition expressed its willingness

to have the Commission order the connection and fix a reasonable compensation for the use of the toll lines and exchanges involved. A hearing was set for May 22 at which the Tri-State company was to present evidence, but it was found necessary to postpone this hearing until June 5. It will be held at the offices of the Railroad and Warehouse Commission in the State Capitol in St. Paul.

Hutchinson is negotiating with a company to install a gas plant for Hutchinson which is intended to be one of the most modern and up-to-date of the State.

About fifteen Minnesota cities have joined the National Septic Process Protective League which was formed to secure concerted action in the matter of the Cameron Company's claims as was told in the April issue of MINNESOTA MUNICIPALITIES.

Information Department

Conducted by the Municipal Reference Bureau, University Extension Service,
E. L. Bennett, Secretary

Questions of General Municipal Interest that are Referred to the Bureau Will
Be Answered In This Column.

WEEDS

Question. Will you explain how a city can require the cutting of weeds on property within the city limits?

Answer. It appears that no Minnesota cities have ordinances covering this matter. Chapter 37, Gen. Stat. of Minn., 1913, and applying to counties as well as to villages and cities, is designed to provide for the matter without special ordinance by the municipality. However, its enumeration of the noxious plants banned does not include ragweed and goldenrod, which should on no account be permitted to grow up. These might in particular cases be condemned by the City Health Department as a menace to the public health, however. In many cities of other states the entire administration of such provisions is committed to the Health Service.

The provisions of the Minnesota law as applying to cities are in effect as follows: Upon written complaint of any citizen to the mayor or president of the council that weeds are growing on any premises, it becomes the duty of such officer to inspect the premises, and if he finds the complaint well founded, give written notice, which may be served by any citizen, upon the occupant or owner or person in charge of such premises, requiring such weeds to be cut within six days. If no one responsible for such premises may be found, the requirement of notice may be ignored.

If the notice has not been complied with within six days, it becomes the duty of the officer in charge of streets to destroy such weeds and grasses, and to report an itemized account of his services and expenses in so doing. He may be allowed \$2 a day for his own time, and current rates for teams and assistance of others used. His account shall be paid at once by the municipality, and unless repaid by the owner before October 1st of the current year, it shall be properly certified and entered as a special charge to be collected with the taxes upon such property. If for any reason the land be exempt from taxation, the amount may be recovered by a civil action. Negligence in keeping weeds cut shall also be prosecuted by the county attorney, as a misdemeanor, any fines assessed as a consequence of such prosecution to go to the municipality. But no specific limits are put for the fines. (Ch. 37, Secs. 5167-5173 incl., Gen. Stat. 1913).

In the larger cities, as a matter of actual administration, it is found impossible to cut all the weeds in the city by this provision, from the circumstance that some wards in which there is a great deal of vacant land would unduly cripple their funds if it were done. The funds would ultimately be reimbursed, but not until over a year after the expenditures were made and so it is found impracticable to cut more than those weeds which are an immediate menace to the public health, in

the wards having several hundred acres of unoccupied land.

Doubtless a supplementary ordinance could be drafted so as to improve the administration of this law, and to provide for any omissions in it. At all odds, the weeds should be cut. Even though they may not be themselves dangerous to the public health, they are unsightly, and harbor mosquitoes and flies, and may conceal deposits of noxious substances which are injurious to the public health.

Numbering Houses; Changing Street Names

Question. I wish you would kindly advise me as to the usual procedure of a village in numbering its houses. Would it be proper for the council to order this done and tax the cost to the property?

Can the names of streets in platted villages be changed by resolution of council or how are they changed?

Answer. In reply to your query as to numbering houses in your village, I beg to submit that while the statute does not provide specifically for the numbering of houses, it may be done under Section 1268 of the General Statutes of 1913, which provides that "The village council . . . shall have power to adopt, amend, or repeal all such ordinances, rules, and by-laws as it shall deem expedient for the following purposes:

(6) To renumber the lots and blocks of the villages or any part thereof, and to cause a revised and consolidated plat thereof to be made and recorded."

I would suggest that an ordinance be passed providing for the numbering by the village engineer or street commissioner, or by other designated agents, and the report and plat submitted by such agent be then accepted

by a resolution of the council. Numbering is not one of the items for which the village is authorized to levy special assessments upon the property affected. The cost should be paid from the general fund.

In the matter of changing the names of streets there appears to be no specific provision, but it is very certainly implied in the control of the streets as public property. Either a resolution or an ordinance designating the changes should be sufficient.

Planting and Care of Trees

Question. What provisions should be made in an ordinance to regulate the planting and care of trees in a city's streets and parks? Could you send us a suggestive ordinance?

Answer. I take pleasure in sending you herewith a copy of the Minneapolis ordinance covering this matter. In it you will find provisions covering the items which are usually regulated by ordinances on this subject.

The ordinance reads as follows:

An Ordinance Directing and Regulating the Planting and Preservation of Shade and Ornamental Trees and Shrubbery in the Streets, Alleys and Public Grounds of the City of Minneapolis.

The Board of Park Commissioners do ordain as follows:

Section 1. No tree shall be planted in any street, avenue or parkway of the City of Minneapolis at a distance of less than twenty-five (25) feet from any other tree, standing in the streets or parkway; but the word TREE as used herein, shall not be construed to include those usually classified as shrubs, and which from their natural habits do not usually grow to a height higher than fifteen (15) feet.

Sec. 2. No tree of the boxelder or of the cottonwood variety shall be planted in any street, avenue or parkway of the City of Minneapolis.

Sec. 3. No tree, as the word is defined in Sec. 1, shall be planted in any street, avenue, or parkway of the City of Minneapolis until the location therefor, including as well, the level or grade at which the highest roots are to be planted, as the point of planting have been fixed and established by the Superintendent of this Board.

Anyone desiring the location and grade for planting trees shall apply to the Secretary of the Board and he shall refer the application to the Superintendent of the Board. There shall be no charge for the service.

Sec. 4. No person shall remove, destroy, cut, deface, trim or in any way injure or interfere with any tree or shrub in any of the streets, avenues or public grounds, including parks or parkways of the city of Minneapolis, except as expressly authorized so to do by the Board of Park Commissioners. Any application for permission to remove, destroy, cut, deface, trim or in any way injure or interfere with any such shade or ornamental tree or shrub shall be first presented to the Board of Park Commissioners, and all such applications are hereby referred to the Committee on Improvements with power to act thereon. The Secretary shall issue all permits directed by such committee. Each permit shall specifically describe the work to be done under it and shall be void in thirty (30) days after its date, provided that nothing in this section shall be construed to prevent the Superintendent of Parks or the City Forester, from properly trimming and caring for such trees.

Sec. 5. No person whether licensed or otherwise, shall move any building

along any street in such a way as to interfere with or injure any tree or shrub in any street, alley or public ground, including parks and parkways in the City of Minneapolis, without a special permit obtained as provided in Section 4.

Sec. 6. No person shall hitch or fasten any horse or other animal to any tree or shrub in any street, alley or public ground, including parks and parkways in the City of Minneapolis, nor shall any person suffer or permit any horse or animal to stand or be near enough to any such tree or shrub to bite, rub against or in any manner injure or deface the same.

Sec. 7. Any person who shall violate any section of this ordinance, shall on conviction thereof, in the Municipal Court of the City of Minneapolis, be punished by confinement in the City Workhouse for a period not exceeding ninety days, or by a fine of not less than two dollars (\$2.00) nor more than one hundred dollars (\$100.00), and in default of the payment of such fine, shall be confined in the City Workhouse until such fine is paid, not exceeding in all ninety days.

Sec. 8. It shall be the duty of the Superintendent of Parks and of the City Forester, to see that the provisions of this ordinance are obeyed.

(Sec. 9, Repeal of former ordinances.)

Sec. 10. This ordinance shall take effect and be in force from and after its passage and publication.

Hibbing has become interested in the advantages to be derived from a municipal market and the Commercial Club there has asked the City Council to provide for one. Another project that Hibbing has under way is the erection of an addition to the municipal library.

Trees for Park Planting in Southwestern Minnesota

By Lycurgus R. Moyer, Councilman, Montevideo

This is the supplementary article promised in connection with Mr. Moyer's article on PARK PLANTING FOR PRAIRIE TOWNS, which appeared in the February issue of Minnesota Municipalities. The two may well be preserved together, as they furnish a very convenient and satisfactory reference guide on what and where to plant.—Editor.

Elm

Almost everyone will agree to placing the American Elm at the head of the list for park planting. It has many insect enemies; but notwithstanding this, it should be given the first place.

A tree not so well known, but yet a native of Southwestern Minnesota is the Cork Barked Elm. It is a moderate sized, round headed tree, with very heavy dark foliage. The cork wings on its branches give it a sturdy appearance, so that it is a striking tree even in winter. At Montevideo it is very popular as a street tree.

Basswood

For beauty of foliage, fragrance of its flowers, and as a pasture for the bees, no tree surpasses the basswood. As a specimen tree in the park, or grown as a great bush with none of its sprouts pruned it is sure to give satisfaction. It likes rich ground, and in the deep soil of some ravine, it will become a thing of beauty and a joy forever.

Bur Oak

Should there be any Bur-oaks in the vicinity they should be carefully protected; and acorns should be collected from them and planted where the trees are wanted. They are slow of growth when young, but when well established

they grow quite rapidly. The Bur-oak is the only native oak in Southwestern Minnesota, and in its long struggle for existence it has become well adapted to prairie conditions.

Green Ash

The green ash is another native tree. Like other trees having a long tap root it does best when grown from seed where it is to stand. While it never becomes very large its bright green foliage is always attractive.

Coffee-Tree

The Kentucky Coffee-tree grows wild as far North as Mankato. It is a tree of great individuality, a member of the Pea family. Its leaves are twice compound, and about 16 inches in length, and it bears its seeds in long curved pods. A few trees of this species lend picturesqueness to any plantation. This tree is not so well known as it deserves to be. It is slow in getting its leaves in the spring, but the young foliage is very attractive.

Hackberry

Celtis occidentalis, a native of wooded bench lands, is one of our very best shade trees. It is fine for street planting, its only drawback being its slowness in getting its leaves in the spring. It ought to be more generally planted.

Silver Maple

Our native silver maple, *Acer saccharinum*, is a fine large tree, well adapted to planting on river banks, and in deep rich soil. In such locations it makes a magnificent tree. If used as a street tree it is apt to be broken by the winds.

Black Hills Spruce

The common white spruce (*Picea Canadensis*) suffers from the hot winds which sometimes prevail on the prairies. It is better to plant the form which grows in the Black Hills. This is better acclimated and seems to be at home on the prairies.

Colorado Spruce

Perhaps the best of all evergreens for prairie planting is the Colorado blue spruce (*Picea Pungens*). Not all of these trees are blue, the blue being only a sport, but they are all very desirable. The tree may be readily known by the sharp points of its leaves.

Willows

The pussy-willow of song and story may well find a place in the park if there are low grounds where it can flourish.

The blue leaved Ural willow is a fine shrub for such locations too.

The Niobe willow, originated at Brookings, S. Dak. by Prof. Hansen is a fine pendulous tree.

Oleaster

Elaeagnus angustifolia, the so called Russian Olive, is a small tree, growing to the height of about 20 feet, but often spreading widely. It blooms early in June and the flowers are very fragrant, but not very conspicuous. It is desirable for its silvery foliage, but needs a dark background, say of evergreens or bur oaks to bring out its full beauty. It is a native of the steppes of Russia and is well adapted to prairie conditions.

Lilacs

Scarcely anything equals the lilacs for prairie planting. Perhaps the best is the old-fashioned *Syringa Vulgaris*. There is a white variety of this but it is not quite so floriferous. The variety known as Charles X. has larger flowers. *Syringa Rothmagensis* is very fine

too. Nurserymen generally call this the Persian lilac. Another very fine lilac is sold as *Syringa Chinensis*. There are many desirable hybrids, but these should be propagated on their own roots in order to give satisfaction. A very late lilac is *Syringa Josikaea*. Another late and tall lilac is *Syringa villosa*, while *Syringa Japonica* is a fair sized tree.

High Bush Cranberry

Another native *Viburnum* called by some *V. Americanum*, and by other regarded as the same as *Viburnum Opulus* of Europe, should be in every collection. Its attractive flowers of early spring are followed by large corymbs of bright red fruit which hang on all winter. A form from Peking, China, has leaves which take on a bright red hue in the fall.

Lonicera

The upright honeysuckles came from the open country of central Asia. They are tall shrubs of vigorous habit, adapted to prairie conditions. *Lonicera Tartarica* in its many forms, *Lonicera Morrowi*, and *Lonicera Ruprechtiana* are all good. *Lonicera Albertii* is too small.

Barberry

The common barberry, *Berberis Vulgaris*, and its purple-leaved form, are medium sized shrubs very effective in borders. They produce bright red fruits which are very showy in autumn, and which hang on well into winter.

The Japan barberry (*Berberis Thunbergii*) is a low growing and rather spreading shrub well adapted to the foreground of plantings. It is excellent for masking the foundations of buildings. Its leaves and fruit are very bright in Autumn.

Caragana

The Siberian Pea-tree, *Caragana Arborescens*, is now pretty well known.

It is very showy in the Spring, producing yellow flowers and bright green leaves. There is a dwarf variety. *Caragana Pygmaea*, a low growing species, and *Caragana Frutescens* are not so well known. The latter makes a fine screen. They are at their best in April and early May before many other things have started.

Spiraea

Spiraea Van Houttei is commonly regarded as the best all round shrub, and it is very desirable. *Spiraea Bumalda* is a pink species blooming in midsummer. A variety of this known as *Anthony Waterer* is quite dwarf. Nurserymen usually class the nine-bark with the *Spiraeas*, but it is properly a *Physocarpus*. It is a large shrub quite showy both in flower and fruit. There is also a *Sorbaria* that nurserymen call an ash-leaved *spiraea* that is very useful for filling in a wild corner.

Black Haw

Viburnum Lentago is native to the edges of groves in the prairie regions. It has beautiful shiny leaves, quite showy flowers and interesting black fruit.

Red-Berried Elder

Sambucus Pubens is a native shrub of value, especially for the wilder parts of the shrubbery. It grows to be from 5 to 7 feet in height, and is the first shrub to leave out and bloom in the spring. The fruit ripens very early and is much liked by the birds. The birds scatter the seeds widely so that volunteer bushes are plentiful.

The black-berried elder, *Sambucus Canadensis*, blooms in mid-summer while the red-berried elder is fruiting.

A golden leaved variety is planted but one must be cautious not to get too many of them.

Buck-Thorn

Rhamnus Cathartica, often used as a hedge plant, is a native of Northern Asia. When planted as a specimen shrub it grows to be 10 or 12 feet high, and has very dark and thick foliage. It forms a fine dark back-ground for lighter colored and smaller shrubs. It fruits heavily and the birds carry the seeds long distances. The seeds grow as readily as the seeds of red-berried elder. It is spreading naturally in our wooded park at Montevideo.

Cornels or Dogwoods

The Siberian dogwood (*Cornus Sibirica*) the familiar red-twigged cornel or kinnekinick, is well adapted to somewhat moist situations, and makes a fine clump that will bloom and fruit all summer. Two American species, *Cornus Stolonifera* and *Cornus Baileyi* are well worth cultivating. There is also a yellow twigged variety.

Philadelphus

The several species and varieties of the *Philadelphus* should not be overlooked. The earliest to bloom and perhaps the most sweet scented is *Philadelphus Coronarius*. Another very fine variety is the one called *Philadelphus Speciosa* by nurserymen. *Philadelphus Pubescens* is a taller-growing and later blooming species. It grows to about the height of a lilac bush. *Philadelphus Lemoinii* is a smaller but very graceful shrub, with curving branches.

Choke-Cherry

The common choke-cherry makes a fine thick shrubbery, but is rather short lived. The native bird-cherry, is a fine small tree of pendulous habit.

Juneberry

The native Juneberries, species of *Amelanchier*, with their wooly leaves and white flowers in early spring are worth having. Our native species grow

to be eight or ten feet high, but there are other species that become fair sized trees.

Wild-Plum

The wild plum makes an attractive thicket, but in a park the ripening fruits in the fall are almost too great a temptation, so that the trees are apt to get broken down and injured.

Wild Rose

The wild roses of the timber borders in the prairie regions, *Rosa Sayi* and *Rosa Maximiliani*, are very desirable for covering rough banks. They are interesting both in flower and fruit, and in the fall their leaves take on beautiful colors. *Rosa Rugosa* from Siberia has fine foliage, and blooms the whole summer thru.

NOTES OF THE MUNICIPALITIES

The Forty-fourth Annual Convention of the State Fire Department Association, and the Iron Range Firemen's Association Tournament are to be held at Chisholm during the four days June 13, 14, 15 and 16. Chief McAlpine of the Chisholm Fire Department is chairman of the Executive Committee, and the entertainment committee comprises the entire population of the municipality.

Duluth and St. Paul are both working upon the billboard problem, and promise to make provisions in their new ordinances as adequate as any in the United States.

The Charter Commission of Thief River Falls has recently finished drafting a charter for the consideration of that city. In Little Falls a Charter Commission has been erected. Some consideration is being given charter modifications in Duluth, Ely, Albert

Lea, Brainerd, and East Grand Forks. Grand Meadow has voted to relinquish her special village charter, and Kasson has voted upon the like question.

Professor Bass intends visiting Milwaukee during the summer, and while there will examine the new "activated sludge" sewage disposal plant. In a later number he will give the readers of *Minnesota Municipalities* the benefits of his observation and comments on the new process and plant.

The Eighth National Conference on City Planning will be held at Cleveland, Ohio, June 5 to 7, inclusive. The program will be opened with a consideration of the automobile and the city plan, and will include discussions of many other timely matters.

ATTENTION!

This column is to give you the chance to learn the best things your neighbor cities are doing, and to tell your neighbor cities the best things you are doing. Help along by sending in notes or clippings from your newspaper, or have the editor put League headquarters on his mailing list. Tell it.

BOOK NOTICE

Municipal Accounting, by DeWitt C. Eggleston, (456 pp., Ronald Press Co., N. Y.) A comprehensive survey of the subject with a discussion of budget making, purchasing systems, municipal stores control, cost keeping, the use of charts, and with a large number of suggested forms. The book is filled with valuable suggestions. It is largely based upon the operations and needs of large cities, but has a chapter on "Accounting for Small Cities."

Municipal officials can secure a most valuable Census Bulletin for the asking. It is "General Statistics of Cities,

1915," and gives very full information relating to governmental organization, police departments, liquor traffic, and municipally owned water supply systems in cities of over 30,000 population. It may be procured by a request addressed to your Congressman or Senator, or to Mr. Sam L. Rogers, Director of the Census, Washington, D. C.

The Committee on Municipal Program of the National Municipal League has prepared a model City Charter, and Home Rule provisions therewith, which can be procured by addressing a request to the Secretary of the League at Philadelphia.

The books mentioned in this column are on file in the Municipal Reference Bureau of the University of Minnesota and may be borrowed for short periods by municipal officials of Minnesota upon payment of postage.

MUNICIPAL REFERENCE SERVICE

The Municipal Reference Bureau of the General Extension Division of the University of Minnesota is conducted for the purpose of supplying information and material to municipal officials and others who may inquire, on any subject connected with municipal government and administration. Through it the services of the greatest libraries of the state are made available to help in solving the problems of the municipalities of the state. Address your inquiry to Municipal Reference Bureau, University of Minnesota, Minneapolis, and it will be given prompt and thorough consideration.

MINNESOTA MUNICIPALITIES

Mayors, Clerks, Recorders, Treasurers, Attorneys, Councilmen, Aldermen, Commissioners, and Trustees of member municipalities of the League are entitled to receive copies of **MINNESOTA MUNICIPALITIES**, and should notify us promptly if their copies do not arrive.

WANTED

Anyone having copies of the **Proceedings of the First Annual Convention of the League of Minnesota Municipalities**, St. Paul, 1913, which he can let the League have will confer a great favor upon it by so doing. Address Richard R. Price, University of Minnesota, Minneapolis.

In the August number: An article on Wheaton's Community School Building; a paper on Municipal Accounting by Professor C. L. Rolzel.

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The Standard of Comparison for Paving and Road Materials

To claim that a paving or road-building material is as good as Trinidad or Bermudez asphalt is considered the strongest endorsement that can be brought forward.

But the materials for which this claim is made are annually new and untried, and year after year one "just-as-good-as-lake asphalt" follows another into oblivion.

Trinidad Lake Asphalt

Bermudez Road Asphalt

Trinidad Liquid Asphalt

Meanwhile the use of the lake asphalt steadily increases, and their position as the standard materials by which all others are judged is more firmly fixed (1) by the continued good service of natural asphalt roads and pavements, some of which, though 30 years old, are in service today; and (2) by the duplication of unfavourable experience with artificial or manufactured asphalt.

Engineers and officials with reputations to preserve, and taxpayers whose money is to be spent may well consider also that even if there was any material for paving and road-building equalling the lake asphalt in durability, dependability and long life, it would take 10 years to prove it.

APRIL 10, 1908.—and "The Asphalt Primer."

The Barber Asphalt Paving Co.

Philadelphia, Pa.

The League of Minnesota Municipalities

Organized August 21, 1913

Officers

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City Attorney of Austin	
MICHAEL BOYLAN	Vice-President
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Purposes of the League.

To perpetuate and develop the League as an agency for the co-operation of Minnesota cities and villages in the practical study of city and village affairs.

To promote the application of the best methods in all branches of municipal service by holding at least one convention annually for the discussion of problems in municipal administration and by circulating information and experience thereon.

To secure legislation which would be beneficial to the municipalities of the state, and the citizens thereof, and to oppose legislation injurious thereto.

Fees and Dues.

The dues for each city or village shall be as follows:

Less than 500 population	\$ 5.00
500 to 3,000	10.00
3,000 to 5,000	15.00
5,000 to 10,000	20.00
10,000 to 20,000	25.00
20,000 to 50,000	30.00
Over 50,000	45.00

The League Needs Your Support and You Need Its Services.

171 243.10

MINNESOTA MUNICIPALITIES

Dedicated to Municipal Progress in Minnesota

VOL. 1

DECEMBER, 1916

No. 6

Leading Articles in this Issue:

Mayor Pierce's Address of Welcome

The President's Address

The Report of the Committee on Legislation

The Report of the Secretary-Treasurer

The Report of the Committee on Resolutions

MINNESOTA MUNICIPALITIES

VOL. I

DECEMBER, 1916

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Table of Contents

Editorials	1
The League and St. Cloud	
A Matter of Municipal Economy	
George H. Now	
The Municipal Bookshelf	
Address of Welcome	6
Response and Presidential Address	9
Report of the Committee on Legislation	14
The Convention Chronicle	17
Report of the Secretary-Treasurer	21
A League of Community Clubs	25
Printed Matter	29
An Appeal	30
Report of the Committee on Resolutions	31
A Constitutional Program for 1917	32
Municipal Ownership	33
Information Department	35

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Minneapolis, Minn.

FREDERIC BASS, Associate Editor

VOLUME I

DECEMBER, 1916

NUMBER 6

The League and St. Cloud

The League has honored itself in choosing to hold its next convention in St. Cloud. It is to St. Cloud more than to any other city that the League owes its organization. Its first meetings in 1913 were largely the result of the initiative efforts of Mr. J. E. Jenks, then City Attorney, and of Mr. P. J. Seberger, then Mayor of St. Cloud. Mr. Jenks became the first President of the League, and served as such during its first two years. Mr. Seberger has ever been active in the service of the League as trustee or committeeman. The League owes much of its growth and present success to the wise counsel and assistance of these two men. Going to St. Cloud for its Fifth Annual Convention, it pays its tribute of honor and esteem to the chief among its founders.

A Matter of Municipal Economy

A Minnesota village contracted for the laying of some 1,700 feet of water mains during the last summer. Mindful of the latitude and temperatures, the village specified that the mains should be laid eight feet deep and let the contract to the "lowest responsible bidder."

After a portion of the work had been completed the village made a discovery. It became necessary to tap the new main for service connections and it was then revealed that the pipe was actually laid not eight feet, but only six and a half below the surface.

The most immediate question which smote the authorities of that village was: Will it freeze? And the answer depends upon the caprice of the weather—when there comes a winter severely cold, without a snow blanket, it will; until then it may not. But there is no margin of safety to assure service regardless of the weather.

And then, what remedy is to be had? Happily for this village it has made its discovery in time to withhold acceptance and payment. And this circumstance will doubtless instil a measure of sweet reasonableness into the contractor's subsequent conduct. The only real remedy would be to require him to relay the pipe at a proper depth, and if he is a man of means this will doubtless be possible. It means delays and double inconvenience

of having the streets torn up again, but there is no other way to assure that village of dependable water service. The contractor would very probably prefer to settle by reducing somewhat the amount of his contract. The village will do well to hesitate long before accepting such a settlement, and better still to reject it. It would have neither a water main on which it could rely, nor money enough returned to pay for one. And it would be condoning an evil practise on the part of the contractor whose bid was accepted against those of competitors who did not figure on saving the cost of the last foot and a half of digging as specified. The village cannot altogether escape being the victim of an unfortunate circumstance, but it can keep its money until it gets what it agreed to pay for.

The incident would furnish texts for discourses on several aspects of municipal administration. It brings up the question of letting contracts. The law very sensibly directs that contracts shall be let to the lowest responsible bidder. This appears to be a case wherein full responsibility did not accompany the contractor's disposition to bid low. It is another item contributing to the mass of testimony which affirms the wisdom of selecting contractors on the basis of an average bid and adequate, certain responsibility, rather than on the minimum bid and conjectural responsibility. He who bids far below the average on standard work is likely to save himself from loss by doing a sub-standard job.

Another of the lessons which this case serves to impress is that not any municipality, howsoever small, can afford on any contract job whatever not to have an inspector constantly on the work to see that all is done as it should be. Shallowness of the ditch is but one of several defaults to be guarded against, and the most obvious one, at that. There is little warrant for supposing that the contractor who risks "getting away" with it, will be scrupulous to avoid others less open. Vigilance, eternal vigilance, is still the price of safety. The municipality which to save the cost of inspection, accepts work of any contractor who has covered over a pipe in a ditch, is risking dollars to save mills, on the chance that the contractor will be disposed to lay the pipe with tight joints and at a depth of safety. No municipality should pay for anything so costly as a water main until it has satisfied itself that it has it.

It might in some cases be wise to require the contractor to furnish a continuing insurance bond conditioned upon the satisfactory service of the pipe laid. Yet this would not reduce the need of inspection and would necessarily increase the bid cost, by perhaps more than the salary of an efficient inspector would amount to, for the concern furnishing the bond would have to charge enough to pay all their risks and costs and would surely have an inspector of their own on the job. Unless the bond were continued indefinitely a shallow main might weather out a number of light winters only to freeze up after the bond had been discontinued.

Moreover, the predicament of this Minnesota village impels us to consider the question of the wisdom of doing such work by the contract plan at all. Certainly it cannot be claimed that a contractor is a necessity, with reports coming in week after week all parts of the country of cities' con-

structing their public work with day labor on force account and claiming savings up to as high as thirty per cent of contract cost of like works. These savings they effect by cutting off the profits of the contractor and by an accommodation of the time of their work to seasons when it can be done efficiently and when labor is most available. On the other hand, it must not be overlooked that these reports generally come, not from the smaller cities and the villages, but from cities large enough to employ the machinery and equipment required during a comparatively long period of every year, whereas a village might not be warranted in purchasing this equipment for the amount of work it has to do. It will generally be cheaper for it to let the contractor do work which requires a paving plant or a trenching machine, even though it is necessary to pay him a profit which is a premium above what similar work, done on force account, costs the larger city. And, it must inspect.

The thought everlastingly recurs whether the work be done by contractor or by day labor, that the municipality must see that it is done right. Work done with anything short of thoroughness is wasteful; taxpayers cannot afford it. Such harassing discoveries as that of the village mentioned can be avoided only by insistence upon the proper performance of every contract, with careful oversight of the work as it is done.

Decide It Now

The League is loth to strike any municipality's name from its roll. But there are many reasons wherefore the names of members whose renewal dues are not paid must be stricken off the list. There are municipalities which desire and intend to renew but which have thus far deferred payment of their dues. Their names will be carried as members until December 20. If there are any whose dues remain unpaid at that time, it will be assumed that they desire to withdraw from the League, and their names will be dropped from the membership list, and their officials from the subscription list of MINNESOTA MUNICIPALITIES.

The Municipal Bookshelf

The library should have a section devoted to literature of the municipality, as easily accessible to the public as the latest fiction, and conveniently at hand for the use of the city fathers. Municipalities which find their library funds limited could still enrich this section very materially by a judicious expenditure of postal cards and stamps. Many of the Bureaus of the Federal Government at Washington issue valuable bulletins from time to time which are furnished upon request. New York and other large cities issue many valuable publications free. Occasional bulletins from universities are of unusual value, and available upon request. It is the intention of MINNESOTA MUNICIPALITIES to devote a column of each issue to municipal literature worth procuring, whether published for free distribution or not.

Address of Welcome on Behalf of the City of Red Wing*

By Mayor A. P. PIERCE

Gentlemen, I hope you may have looked forward to this convention with something of the feeling and interest that the people of Red Wing have, and I take the greatest pleasure in extending to you a cordial welcome on behalf of our city. I feel that we belong to the same fraternity, as it were. We are engaged in trying to do public service the best which in us lies, with no financial remuneration to speak of, and in the face of a lot of criticism and fault finding. Criticism is all right. It doesn't bother me very much, and I don't suppose it does you.

Red Wing's Way of Government.

It is a singular fact how little we know about each other in a municipal way. Many of you have come to Red Wing for the first time, and you don't know anything about the City of Red Wing or its people or the way its affairs are conducted. That is something this league will cure to a large extent if every city joins it, as it should. I am going to tell you, briefly, a few things about Red Wing. We have a population of ten thousand people and I don't believe we have to count any twice, either. Our business is carried on under what is known as the home-rule charter, adopted by this city in 1894. That charter provides for a number of boards who transact the business of the City, under the direction of the City Council. These boards are all appointed by the Mayor, and the members serve without any pay. Most of

the boards consist of three members. The Board of Public Works has charge of the streets and alleys and public property, and so forth; the Fire Board, of the fire department; the Water Board, of our water system, which belongs to the City; the Sanitary Board controls the cemetery, which the city owns; the Library Board; and the Auditorium Board has charge of this building, a memorial gift of which I will speak in a few moments.

We have no politics in our city affairs. If you should ask me the political complexion of any of these boards I could not tell you. It has been my duty to appoint the members of these boards ever since our charter was adopted (with the exception of two years), and my policy has been to select as members of these boards men regardless of political or religious affiliation, regardless of their friendship for me, whether they ever supported me or not, I appointed upon each of these boards men that I knew had the ability and the inclination to perform the duties which were required of that board. We have succeeded in getting the help and the support of our very best citizens to look after the interest of the city. These boards meet at the proper times and prepare their budgets; they are presented to the council, and the council refers them to the Finance Committee, which returns them with such amendments as they may see fit to make, and the amounts allowed they must not exceed. There is something

*At Fourth Annual Convention of the League of Minnesota Municipalities, Red Wing, Minnesota, October 18, 1916.

like a jail sentence if they exceed that sum—at least they don't do it; they have got to go back to the council for more money if additional expenditures are to be incurred.

Public Benefactions

Now there is another side which I want briefly to speak to you about. We have been wonderfully remembered by some of our old citizens. This is an old story to many of you who live here and have heard me say this before, but it is interesting to us all just the same, and it will be to some of you. We have had quite a number of things done for us. Our first bequest was the Carnegie Library, and when it became known that the money was available, Mr. James Lawther, an old citizen, who has recently died, gave us the beautiful site across the street upon which to erect the building, and it is known as the Carnegie-Lawther Library.

There resided in this city for more than fifty years one of the most unassuming old gentlemen you ever saw in your life. As time went on he lost his wife and his children, and after a long time married again. When his will was opened it was found that he had given his home, with all it contained, to his widow. The will provided that the executors should appraise his estate; the widow was to take one-half of the property, and the balance was to go to the City of Red Wing to build some memorial which his executors might choose. There was no stipulation as to what it should be. That estate yielded to the City \$80,000, and with that money they built this auditorium, the T. B. Sheldon Memorial Auditorium. I don't know that a man could leave any memorial which would keep his memory green as the years go by as this does.

The program of every entertainment given here must have upon its front page the picture of Mr. T. B. Sheldon's genial face.

Mr. John Rich, who is now connected with the Federal Bank in Minneapolis, was for years a resident of Red Wing. We had out here where the square is a sort of Sahara desert. Nothing had anything on that square for looks, dust, or anything else. Mr. Rich said that if the City would grade and curb and gutter and pave that street from out here in front of the church down to the Milwaukee station and one block to the right, he would park it at his own expense, which he did. It cost him quite a bit of money, and it will be a lasting memorial to him.

An old resident of Red Wing, years ago, put in his will a bequest of ten thousand dollars to help the City Hospital. We had nothing of the kind. His will was changed many times, but that bequest always remained. At the time of his death we had upon the hill here a very nice frame building which was used for hospital purposes, as adequate as any building of the kind could be, and the executors of that estate, not wishing to have the identity of this bequest lost, had a plan made of a modern hospital, which should some time be completed, and with this ten thousand dollars they built one wing of it in connection with the frame building which was used for hospital purposes.

Mr. James Lawther, an old, honest citizen of Red Wing, who was at the time in Ireland—the last days of his life were spent there—sent word to his representatives that they could build for the citizens of Red Wing a Y. M. C. A. building at a cost not to exceed \$50,000. He had a large amount of property here, but he said, "You can

put that building on any site you choose, you need not take my property if some other site is more available"—and the building which you see one block down the street, which you passed in coming here, is the building which he gave to the city for that purpose.

Mr. Charles Betcher, was an old, life-long resident. His heirs concluded they would erect some memorial to him, and they built a beautiful little chapel and receiving vault at the cemetery, and Mr. E. H. Blodget, an old business friend and life-long partner of Mr. Sheldon, said, "Well, you will want an approach to the chapel, an arch, with wings, and so forth." He said, "You build all that, and send the bill to me, and I will pay for that part."

A woman,—well, she had lived here in Red Wing a good many years, married into an old family. Her husband died; they had no children. She went to some gentlemen here and said, "I have thirty-five or forty thousand dollars. Now if you will take care of me during my declining years, I will bequeath that money to you and with it you can build an old ladies' home." She is dead. But the building for which

she provided is up there alongside of the City Hospital. You probably will have a chance to see it.

Now, it is not the amount of these bequests that counts. There are hundreds of men any one of whom could give to the city a sum of money that would make these other bequests look small, but I want to tell you that for our needs they are just as big as anybody else's big bequests. It is the spirit manifested that I want to tell you about.

Now the details of any of the city affairs that you want to know about will be gladly furnished you by almost anybody you may inquire of, and if they can't tell you they will always find somebody who can.

I want to tell you how glad we are to see you just once more, and I want to thank the members of the convention at Virginia, and especially Mayor Boylan, for the interest which they took to bring the convention to Red Wing this year. We will do what we can to make your stay pleasant, and I know that each one of you will do what he can to make this convention a profitable one to all parties concerned. (Applause.)

THE SEPTIC TANK CASE

In the President's address and in the Secretary's report appear accounts of the present status of the septic tank patent litigation which is of interest to practically every city having a sewage disposal plant. The patents of the Cameron Septic Tank Company, upon which it bases its claims for license or royalty payments from municipalities using the septic process of sewage purification, expired October 3, 1916, and

with that date any monopolistic rights which that company may have had ceased. That the question of the validity of the Cameron patents is still before the courts, however, and still may affect the municipalities which have used the septic process previous to the expiration of the patents, is due to the circumstance that the statute of limitations give the company six years in which to file its suits. If the Shelbyville suit is thoroughly presented it may settle the question.

Response to Address of Welcome and Presidential Address

By President J. N. NICHOLSEN

Mr. Pierce, Citizens of Red Wing who may be present with us, I am glad to render to you the thanks of the League of Minnesota Municipalities for your welcome to Red Wing. Red Wing hospitality has, I think, been known for many, many years throughout this state. When I read that little article of Mr. Hall's, your City Attorney, in the last issue of MINNESOTA MUNICIPALITIES, I felt that he showed from the very beginning that Red Wing stood for hospitality; for, as I read the brochure I found that very early navigators of the "father of waters," in ascending the Mississippi, always stopped at Red Wing; none went by here without first stopping at Chief Red Wing's lodge. Red Wing, as I understand it, was one of the early Indian chiefs of our old Minnesota territory, and to the early settler, to the early discoverer, he extended, if not the glad hand then the pipe of peace, which notwithstanding the terrible calamities that have fallen since then through the marauding escapades of some Indians, has helped to make the Indian and the white man live in peace in this prosperous state of many lakes and laughing waters.

After those navigators came up your river, you people of Red Wing extended to the farmers who came in here a glad hand of welcome. Your flour mills today bespeak what the City of Red Wing, and the Village of Red Wing before it, was to the people who came into this country and settled on the plains back a way from the river.

Why, from as far almost as Mankato, they hauled their wheat over here to the port of Red Wing for its transportation down the Mississippi and also for its being ground into flour, to be made into the bread of the world. You have extended this hospitable hand to all comers in the past, and it does not therefore surprise us, your Honor, that you are extending to us this glad hand of welcome today, and I know that I can assure you, and through you the citizens of Red Wing, that this hospitality will be appreciated and will be thankfully received.

Through my connection with the League of Minnesota Municipalities during the last four years, I know that we have within your midst at the present a representative delegation of the best of Minnesota's citizenry. Men are not elected to public office, to municipal office, for any salaries they are receiving. They are elected not because of any high honor which it affords them. They are being elected to the city office for the service they are giving, and these men that are before you here, your Honor, are men who have been elected not for their own personal aggrandizement, but for the service they can render to their own municipalities, and these men, speaking through me, say to you, your Honor, that we are very thankful that you have extended to us this welcome to your city.

Your problems, that you have had here in the past and which you have overcome, are going to help us in other

towns to overcome the problems we have and arrive at proper solutions. Your city, built on the side of these bluffs, is going to help the engineering department in many another city that has the same problems. Your paving propositions here are going to be of assistance in solving paving propositions elsewhere. It is not just what we learn here within this convention hall that we are going to receive and carry back to our own municipalities, from Red Wing, but it is also what we are going to see and learn as we pass over your streets and through your public works and your public institutions.

It certainly must be an incentive to every good citizen who ever comes to the City of Red Wing to go back home and tell what the citizens of Red Wing have done for their home town. Apparently they have not been knockers down here at Red Wing—they have been boosters; they are live wires, they are pushers. This institution in which we are assembled is one of the finest monuments that any man could ever leave to perpetuate his name unto posterity. These different gifts that have been made by these several citizens of the City of Red Wing, not only mean to the City of Red Wing that they have this and that as a monument, not only that they are going to have the use of this auditorium and of this chapel and of this gateway and of these parks, but it also means that it is going to inspire in other citizens, and citizens in other municipalities, a desire to follow along that same line. Your efforts here in the city of Red Wing are going to have their effect upon other citizens in other municipalities, simply by your example.

The gifts by these citizens of whom his Honor has spoken are not all that Red Wing can show us when we come

here. It is not just a handful of men that have built Red Wing, together with the woman he has referred to. No, it is the public spirit through all its citizens. They have not been backward about taxing themselves to make other improvements. Look at the high bridge over here, costing towards half a hundred thousand dollars, as I understand it, built by the City of Red Wing. Look at this monument that is being erected up on the side of the hill here, in the form of a school building, for which the City of Red Wing, through its tax payers and voters, has bonded itself for \$170,000 to build. It is not just the public spirit of a few men, half a dozen men within a city that determines the civic pride of that city. It is what the general average tax payer is willing to do. What is he willing to go down in his pocket for? Is he willing to go and pay out \$170,000 to build a building for the education of the children? That does not require merely a half a dozen men. That requires the vote of some two or three thousand of the tax payers of your city, and you citizens of Red Wing have shown us, when we have come to your city, that you can do that, and in that you have inspired us. When we come to your city you show us a history of the past that is a magnificent one. Who among you hears the name of Colonel Colville but remembers that remarkable charge on the field of Gettysburg? Who ever reads of the Civil War, who ever hears of the part that Minnesota took in that great conflict, but remembers with pride the part that was performed by Colonel Colville, who mustered the first company of volunteers that went into the first regiment from Minnesota, the first state to offer to President Lincoln volunteers for putting down the rebellion? Oh,

you gentlemen of Red Wing may well feel proud of what you are doing today, but you too may feel more than proud of what your citizens have placed upon the pages of history for the inspiration of your children and our children.

The League's Affairs.

Gentlemen, in the regular course of our convention it is provided that I, as your President, should make at the opening of the convention the annual address. My understanding of that function is that I am simply to outline to you what your League has done during the year last past, to give a short synopsis of what its activities have been, and in accordance with the custom of the past I shall give you in a very few words a short resume of that.

When the first meeting of the executive committee was had, it was determined that the League as such would not father district meetings. It had been suggested at Virginia that it might be well to have two meetings a year of the whole League of the State, another in each congressional district, having there assembled the municipalities from its own district. After thoroughly threshing it out in the executive committee we decided that for the League itself to father these would perhaps minimize the efforts of the League at its annual convention, and although the League as such should be very willing to assist the municipalities in the several congressional districts to have and to hold these separate meetings should they decide to do so, yet the League as such would not call these meetings. So, unless the action of this convention today should reverse the decision of the executive committee, that probably will be what the future will have in store for us in reference to these district meetings.

We also decided that the membership committee should be enlarged, so as to have one from each county. Whether that will work satisfactorily or not I do not know. I have appointed a member from every county. In just a few counties there were no municipalities holding membership in the League, and in those I appointed some prominent municipal official in one of the cities or villages of that county. I have thrice circularized this large membership committee in regard to boosting for new members, and I trust that that has in part made it possible for us to have upon our rolls the hundred odd cities and villages which we now have as a membership of our League.

We decided also that we should publish a magazine of our own to be known as MINNESOTA MUNICIPALITIES. I want to give credit at this time to Mr. G. A. Gesell for having fathered that enterprise, and mothered it too. He gave birth to it, was its sponsor in its early babyhood, and has seen it grow up from its swaddling clothes into a pretty good sized child, and a child of whom he as father and mother may feel justly proud and a child too of which everyone of us may be proud. I think that the change from the former method of subscribing for an outside magazine to this of printing our own is a step in the right direction, and I am inclined to think that the continuing executive committees will not go far astray in continuing the publication of MINNESOTA MUNICIPALITIES. It brings us nearer together, it brings the several Minnesota officials in touch with the League once bi-monthly and is therefore, in addition to what it contains within its covers, worth while.

We had a meeting in Minneapolis at the University some time last winter,

called under the auspices of the League of Minnesota Municipalities, in reference to the Cameron septic tank litigation. There are quite a number of municipalities of this state that have a sewage disposal that the Cameron people claimed was an infringement upon their patent, and they were served with notice that they would be sued for royalties or would be enjoined for making use of it. These municipalities met pursuant to notice from your secretary or executive secretary and the matter was pretty well threshed out, and an organization formed—for the purpose of uniting the efforts of these municipalities that were thus interested, in an effort to save themselves from the course that lay open before them according to the Cameron people. I do not know what the final result of that is. Perhaps the secretary in his report may make it known to you. In that meeting we invited all of the municipalities that were interested to come, whether they were members of the League or not, and we hoped by showing our interest in their municipalities to bring into the League those who theretofore had been outside of its influence.

At the last meeting of the executive committee it was also suggested that Mr. Jenks, a member of that board, should take up with the city of Thief River Falls the proposition of the physical connection of telephones, which they had before them, and that I should take the matter up with the city of Owatonna. The city of Owatonna filed an application with the Board of Railroad and Warehouse commissioners and a hearing was had. At the first hearing that first petition was withdrawn voluntarily by the city of Owatonna; as they considered there were some defects in their jurisdictional proceedings.

They filed another petition, and the president of your League has attended a couple of meetings and hearings which have been held before the Railroad and Warehouse commissioners. It has grown into a big thing. It has taken several weeks to take the testimony, and is still in the courts. The city of Owatonna, through its city attorney, suggested to me that the League perhaps ought to bear a portion of that expense, and I felt favorably inclined toward that. When I came to look up their standing, however, they never had joined the League, and going over the matter with some of the members of the executive committee we determined that it was hardly policy for the executive committee to spend the money of the League in furthering the litigation of one of the municipalities of the state who might be a member but who had never thus far interested itself in becoming an active member of the League itself; and if they should hereafter become a member, I feel that the executive committee should give thought to the proposition of assisting the city of Owatonna in this litigation, because its benefit will not be to the city of Owatonna alone but also to all the other municipalities of the state that have more than one competing telephone line. This proposition of physical connection, you will remember, was fathered by this League in what was known as the old Monett bill. Whether the Monett bill as it has been enacted into law will be of service to the state, is still a question. Some of the telephone companies have surrendered their local city franchises and have come in under the Monett bill, and are now under the jurisdiction of the Railroad and Warehouse commissioners. We have however a good commission and I anticipate

that we will receive reasonably satisfactory service through that method.

There was held last spring a meeting before the Railroad and Warehouse Commissioners in reference to the raising of railroad rates through all south-eastern Minnesota on lump coal, from the harbors of Duluth and Superior, into all that portion lying between Iowa and the Twin Cities and the river and Mankato. I attended that hearing and have taken part somewhat in the proceedings, trying to hold the rate down to its present rate. They asked for a ten-cent rate, which seems perhaps to be a small sum but as a matter of fact it means to each municipality of the size of Red Wing—although Red Wing itself is not in it, being on the river—something like a thousand or more dollars every year in increased rates, just on that one commodity.

I wish to call the attention of the convention to the fact that one member of our official board has died during the past year. That was Mayor A. G. Meyer of Mankato. Mr. Meyer was a man of large physique and he had within that body just as large a heart, and all who knew him felt kindly toward Mr. Meyer and every man that Mr. Meyer knew, or didn't know, he felt kindly toward. I feel that the death of Mr. Meyer is a deep loss to the League of Minnesota Municipalities. I sent to his widow and family the sympathies of the League. It will be difficult perhaps to replace him or anyone else to step into his shoes, because he has been in the League from the time it was first organized and has been one of the pushers in it.

I want also to call your attention to the still serious illness of another member of our official family, Mr. J. E. Jenks, who was chairman of the

Executive Committee, a member of the board of trustees, and a past president. A year ago he was unable to attend our convention at Virginia on account of illness. He has never recovered; he is still in Rest Hospital in Minneapolis; has been down at Rochester for some treatment and been at Austin for recuperation, but is still a very sick man. I want to call attention to a semi-loss which we have also sustained in Mr. Gesell's retirement from his connection with the University and going into the Association of Commerce at St. Paul. He with Mr. Price were the active pushers of this League, and he has been followed by a young man at the University who will perhaps become an able successor to him, yet at present his leaving the active service which he has rendered us is a loss to us.

I appointed Mr. Bennett, after he succeeded Professor Gesell, as a member of the advisory committee of the Utilities Bureau, which is in Philadelphia and with which we have an affiliation, and unless that appointment should be rescinded at this meeting I assume that it will continue to hold good. The condition of the League will be more fully gone into in the report of your secretary. I am pleased in standing here before you as your president and chairman to say that I believe the League has prospered during the past year. It has rendered to the municipalities throughout the state such service as it has been able to, and through increased age it hopes to become more successful in giving to every municipality the help and aid that each municipality may desire.

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Report of Committee on Legislation*

By Mr. O. H. O'NEILL.

Corporation Counsel of St. Paul

Mr. President, and Members of the Convention:

The statement as to the condition of Mr. Jenks, chairman of this committee, is probably a sufficient apology or explanation for the failure of the committee to present this report in a formal manner. I believe that all reports should be presented in that way. But what it lacks in formality I will try to make up in brevity, and I hope, therefore, the members of the convention will pardon the rest of the committee for not doing the work which ordinarily devolves upon the chairman.

The committee endorse two bills and recommend that the convention urge their passage by the next legislature. Neither of these bills is new, although I am not aware that either of them ever came before this convention in a formal manner. One provides that municipalities shall have authority to expend public moneys for the purpose of paying the dues of a municipality in this League, and shall also be authorized to appropriate money for the purpose of paying the expenses of city officers attending the convention.

There has been in the past, and probably is now, some difference of opinion as to whether or not municipalities have that power. Some seem to have it, clearly, under their charters; others assume that they have it under the general law, and some others have serious doubts, and assign that as an excuse for not becoming members of the League and sending representatives to its convention.

The other bill, of which I have a copy in my hand, is an act to provide for the payment of the State of Minnesota of assessments for public improvements made by cities and villages against railroad property, which is exempt from the lien of such assessments.

Now, going back to the bill to which I first referred, I wish to say that it was introduced at the last session of the legislature, at the instance of the legislative committee, and so far as I am aware met with no opposition from the members of that body; but it was introduced so late that it was not reached in the regular order of business.

The bill which provides for the payment or the reimbursement of municipalities for assessments paid by the municipalities upon exempt railroad property, has been before the legislature several times. It was introduced by members of the Ramsey County delegation, but I am advised by the members of the delegation that it received little or no support from other cities or villages, and was quite actively opposed by those who may be called the country members, who felt that it was a scheme on the part of the cities to take a large sum of money from the state treasury that would otherwise be disbursed for general state purposes, and the benefit of which would accrue to localities outside the cities.

The purpose of the act is, I think, set forth clearly in the first section. It provides, "That when any portion of the cost of any local public improve-

*To the Fourth Annual Convention of the League of Minnesota Municipalities, Red Wing, October 19, 1916.

ment made by any city or village, which is to be paid for in full or in part by assessment against property benefited thereby, shall be assessed against the property of any railroad company which is exempt from the lien of such assessment because of the payment of the gross earnings tax by such railroad company in lieu of taxes and assessments, the amount of such assessments shall be paid by the state to the city or village."

The theory of this bill, as you well understand, is that the State has deprived the municipalities of the right to levy a special assessment against property used for railroad purposes, in consideration of the gross earnings tax paid into the state treasury; that it is but fair, therefore, that the municipalities should be reimbursed out of the moneys received by the state from that source. Now it is true that in the large terminals, like St. Paul, Minneapolis, and Duluth, the aggregate amount that the cities would be entitled to claim from the state would be greater than in the smaller communities, but it would not probably be any greater in proportion, and I think it is safe to say that the large municipalities probably do not suffer as much from the loss of these moneys as the smaller ones. You probably all know of cases in the smaller municipalities where sidewalks have not been laid or other street improvements made along railroad property because the municipality did not feel able to make the appropriation out of its general funds for the purpose of carrying out the improvement. In the larger municipalities, even where the expense runs up into thousands of dollars, they can usually find the money to pay for the paving, or sidewalk, or sewer, or whatever the public improve-

ment may be. But if it is just to reimburse the one, it is also just to reimburse the other.

It was suggested yesterday, by Mr. Dwan of Two Harbors, that the legislature ought to go further than that, or at least this League ought to urge it to go further, in reimbursing the municipalities. Now, I don't know but that he is right, but as was suggested before, the difficulties which the proposers of this bill met with in the legislatures of the past, to get this comparatively small reimbursement, of course would be much increased if the result would be to take even larger sums from the state treasury.

You may say, to be logical, that the municipalities ought to ask for reimbursement for the general taxes that it loses through the same method or from the same causes, but I think that if our demands are moderate to begin with we will stand a better show of success than if we go into something which appears to the country members to mean that a large amount of money is to be taken out of the treasury for the benefit of the municipalities.

The endorsement of the bill by this League alone will hardly be sufficient to insure its passage in the legislature. It seems to me that it will require active work on the part of the members. Some of you will probably be in the next legislature; you are all, of course, more or less intimately acquainted with those who will be in the legislature, and I think if the League endorsed this proposed bill reimbursing the municipalities, it would be desirable, in fact necessary, that every member of this organization do some work with the member of the legislature from his district, on the ground that it would be but fair and equitable that the villages

and cities should be reimbursed for the moneys which the state in a way directly takes from the municipality.

Pres. Nicholsen: Gentlemen, you have heard the report of the committee on legislation. What will you do with the first proposition? The first proposition was recommending to the legislature the passage of bill providing that municipalities—

A Member. I move the adoption of the report.

Pres. Nicholsen: The whole report, or the first proposition?

The Member: The whole proposition.

Pres. Nicholsen: Do I hear a second?

The motion was seconded.

Pres. Nicholsen: Any discussion? Both propositions may come up. The first proposition was that the municipalities may provide for the expense of their delegates to these meetings and any other meetings of the League. We do so now, and it is permitted, but there are some villages and cities that think they have not the authority. If there were a distinct legislative enactment to that effect, it would help the League in getting members. Any discussion on the second proposition?

Mr. Dwan: May I ask what is the provision of the proposed law and its limitations?

Mr. O'Neill: The intent of the act is to require the state to reimburse—

Pres. Nicholsen: Mr. Dwan's inquiry was as to the first proposition, whether the committee on legislation determined not to put in any specified number that may be sent to the convention.

Mr. O'Neill: The bill as drafted places no limitation of that sort.

Mr. Dwan: That would suit fine, I think.

Pres. Nicholsen: Now as to the railroad assessment proposition.

Mr. McGhee (Virginia): I would like to ask, is not each municipality to receive its quota of the gross earnings tax? and would this not be a special assessment against the gross earnings tax? In our own town would we be getting a second assessment from the state fund, whereas we get one now? I would like to have that question answered.

Pres. Nicholsen: Mr. O'Neill, can you answer that?

Mr. O'Neill: I don't believe I understand that question clearly.

Mr. McGhee: The gross earnings tax levy, as I understand it, is distributed throughout the state. Each of our communities get a portion of that assessment. Now when we get this assessment through here for these special improvements which we have made, will we be getting a second assessment, whereas other towns do not? Is that the idea?

Mr. O'Neill: I don't so understand it. Each municipality gets a pro rata share, probably, of the gross earnings money, regardless of whether or not there are special assessments made by the city, and this proposes to reimburse the city for the special assessment that it has paid for improving railroad property.

Mr. Schuster (Biwabik): I would like to inquire if the bill, as drawn on the first proposition, specifies delegates or officials?

Pres. Nicholsen: I think the bill itself is not drawn. It is merely a recommendation to the committee on legislation to be appointed by the incoming president, to put the proposition into concrete form.

Mr. Schuster: My reason for asking, Mr. President, was that I understood the report to say "officials."

Mr. O'Neill: It did. The bill, as introduced at the last session of the legislature, authorized the payment of the expenses of officials attending the annual convention.

Mr. Schuster: The point I raise is that possibly city or village attorneys would not be officials.

Pres. Nichol森: They are.

Mr. Schuster: And if it was desired to make them delegates, they should be included in the provisions of the bill. They might be left out if they were not "officials."

Pres. Nichol森: City attorneys, city clerks, health officers, city engineers, city treasurers, and so on, are "officials" of the city. Our Supreme

Court has so held in reference to them. Any other questions or suggestions before I put the motion? Gentlemen, it has been moved and seconded that the report of the Committee on Legislation be adopted. So many as are in favor signify by saying aye. Contrary, no. The motion is unanimously carried.

Mr. Thomas Van Lear was elected Mayor of Minneapolis at the city election November 7.

St. Paul sent the largest delegation to the Red Wing Convention.

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The Convention Chronicle

The Desirable City was prepared, and the convention came. Tuesday night the St. James Hotel had no empty room. Every train Wednesday morning brought delegations of municipal officials. The Range delegations had required a special car, and arrived forty-five strong, under the captaincy of Mayor Michael Boylan of Virginia, vice president of the League. From every corner of the state they were present, and when the first sessions of the convention assembled over a hundred and twenty-five were gathered in the auditorium. One might digress to tell at length of Red Wing's municipal auditorium, with its splendid construction and equipment. Not a delegate there but would have considered his own town rarely fortunate to have one like it. Registration proceeded in the au-

ditorium lobby, and as each delegate signed the register he was provided with a badge, a cockade for his hat, and a complimentary card from the local Elks.

President Nichol森 called the convention to order at eleven. After an invocation by Rev. Middlemas of Red Wing, Mayor Pierce welcomed the League to Red Wing in the address which is printed elsewhere in this issue. President Nichol森 responded to this address on behalf of the League, and delivered his presidential address. The Secretary-Treasurer presented his reports, of which the one relating to finance was referred to an auditing committee appointed by the president. Mr. Lycurgus R. Moyer of Montevideo presented the report of the Committee on Parks, Playgrounds, and City Plan-

ning, which was followed by a considerable amount of discussion, and the convention adjourned until the afternoon session.

The afternoon session was no less filled with good things than was the morning. The papers and reports presented evoked lively discussion from the floor. Mr. Robert Catherwood of Chicago, who has had much experience in civil service administration there, was well received, and repaid the attention accorded him and his address with a substantial amount of illuminating information and suggestions. Among the committee reports that of Alderman John T. Kean of Minneapolis, on Franchises and Public Utilities, is deserving of special mention.

Mr. Fred Dustin's address on Street Lighting was scheduled for the afternoon, but was deferred until evening to permit the arrangement of the screen for showing the illustrative slides. It was followed by President Frank L. McVey of the University of North Dakota in a splendid address on "What Organizations can do for Municipal Development." The evidence of all this will appear in subsequent numbers of MINNESOTA MUNICIPALITIES as space permits the publication of the papers of the convention.

The weather man changed his temper over night, and Thursday was a sharper day than that mild Wednesday on which the convention opened. But the convention was affected not at all. It opened its second morning with Dr. Swinnerton's report of the committee on public health and passed from that to various aspects of municipal finance. Mr. Joseph J. Ermatinger of St. Paul



THE DELEGATE

The man in the regalia at the center acting as a harbinger of the Winter Carnival that Oscar Seebach can be at two places in

read a very exhaustive paper on the subject of "Municipal Borrowing." He was followed by Mr. A. J. Edwards, of the Wells-Dickey Company, Minneapolis, upon the more practical aspects of the same subject, and by President McVey on "Municipal Finance." The exigencies of time compelled the last two to abridge their addresses very much. MINNESOTA MUNICIPALITIES is glad to say, however, that they will be printed in full in the course of the year.

Of Red Wing's river scenery we had read much, and were glad of the hospitality that took us by launches down three miles of it to the dock of the State Training School for Boys. Superintendent Fulton and his assistants had known of our coming and the guests were shown the ins and outs of the institution, and then invited into a large hall to a luncheon that was no less than a banquet.

The Thursday afternoon session was held in the Training School dining room immediately after the luncheon. President Nicholsen first called on Superintendent Fulton of the School and then on John Dwan of Two Harbors, both of whom rose to the occasion most eloquently. Mr. P. J. Seberger of the committee on Taxation and Assessment



RED WING.

r. J. H. Faricy, city clerk of St. Paul,
This photograph would seem to testify
same moment.

presented a paper on the growth of municipal activities and possible new sources of revenue. Professor C. L. Rotzel then presented the report of the Committee on Municipal Accounting. All the papers relating to finance were then thrown open to discussion, in which many delegates took part.

It was brought to the attention of the convention that Ex-President J. E. Jenks of St. Cloud, chairman of the Committee on Legislation, was unable to attend by reason of his illness and confinement in a Minneapolis hospital, whereupon the convention unanimously passed a resolution expressing its sympathy, which the Secretary was instructed to wire Mr. Jenks at once. Mr. O. H. O'Neill of St. Paul then presented the report of the Committee on Legislation, in which they recommended that the League center its support this year upon two measures, one a law specifically to authorize municipalities to pay League dues and send delegates to League conventions, the other to provide for refunding from the state treasury the cost of special improvements abutting railroad property exempt from special assessment. The report of the Committee is printed on other pages of this issue. The convention also adopted the report of a spe-

cial committee, it being a resolution requesting the addition of an engineer to the staff of the Municipal Reference Bureau.

There were two invitations tendered the League in behalf of cities desirous of entertaining the League in 1917. Mr. P. J. Seberger spoke for St. Cloud, presenting her advantages of central situation, and railroad service, and of municipal vitality, and adverting also to the part St. Cloud had in the formation of the League. Mr. J. H. Protz, president of this council of Winona and Mr. Wolf, city engineer, offered the League the hospitalities of that city. There were no further invitations, but Mayor Anderson of Austin rose to give notice of the designs that city has upon the League for 1918. Then after an interval of a minute, the roll was called, and it appeared that while the League had accepted the bidding of St. Cloud, it had only deferred the trip to Winona until other years, for that city was well supported on the roll call.

There remained the business of electing officers. Mr. O. H. O'Neill was nominated for president; and upon motion the ballot for him was made unanimous; Dr. G. W. Moore of Hopkins was likewise named vice-president. Mr. Richard R. Price, Director of the General Extension Division of the University of Minnesota was re-elected secretary-treasurer and Mr. E. L. Bennett, Secretary of the Municipal Reference Bureau, executive secretary of the League; for trustees the convention chose Mr. R. Swinnerton, an alderman of Hibbing, Mr. Oscar Seebach, president of the council of Red Wing, and Dr. L. A. Fritsche, Mayor of New Ulm,

by unanimous ballot. This completed the business of the program, and President J. N. Nicholsen, of Austin, declared the convention adjourned *sine die*, and laid his gavel.

At the door of the training school the delegates found Red Wing's hospitable motor cars, waiting to show more of the scenery and industries of the Desirable City. Through rich valleys and up to the top of commanding hills, past schools and churches and



MR. O. H. O'NEILL

Corporation Counsel of the city of St. Paul, President of the League of Minnesota Municipalities.

splendid residences the route led. One long stop the cars made, for every delegate wanted to see the workings of Red Wing's famous sewer pipe factories throughout. Every courtesy was offered by the management, guides familiar with the establishment were

at hand to direct the pilgrimage, and to supply information about the processes, from the grinding of the clay to the cooling of the kilns.

Thursday's weather had been sharp, and culminated in a snow for the evening. Many delegates were departing, but it was a goodly number who stayed to attend the smoker at the Elks' quarters that evening. There were cheer and entertainment provided. A genial toastmaster introduced the new president and the retiring president of the League, and Superintendent Fulton of the Training School, and called on Larry Ho, on Charles P. Hall of Red Wing, and on Mayor Mike Boylan of the Queen City of the Range, and on four musicians who sang, and yet on others who were worthy of mention, but whose names escape. It goes without saying that the success of this smoker was of a piece with that of the whole convention and that they who were compelled to depart before it missed the pleasure of a good occasion.

A municipal week of more than ordinary interest and importance was held in Springfield, Massachusetts November 20-25. Ten state and national organizations held meetings and conventions there, and the programs contained many excellent things. Among the organizations were The City Managers' Association, The Massachusetts Civic League, The Municipal Research Conference, The Training School for Public Service, and The National Municipal League.

If there's a chance that an advertiser in MINNESOTA MUNICIPALITIES could serve your municipality, send a card or a letter of inquiry to make his acquaintance.

Report of the Secretary-Treasurer*

The third year in the history of the League of Minnesota Municipalities was its most prosperous year. This is true from the standpoint of work accomplished, and also from the standpoint of increase of membership. Perhaps there are many here today who are not aware of what a young organization this is. Yet the first conference held with a view to the organization of this League was as late as August, 1913. In these three short years, however, the astonishing fact is that our membership, our organization, and our prestige are comparable to those of very much older leagues. Although among the youngest of the leagues, we now rank with Iowa, Kansas, California, and Washington in the forefront.

This is not to say, however, that we have not yet room to grow, or that we have completely filled the field of our usefulness. We have arrived at a position when we can say that practically all of the important towns of the state hold membership in our organization. In the membership campaign, however, we have now come to the most difficult part of our work. It will be harder to add ten new towns now than it was to add twenty during our first year. Instead of a general, loosely organized campaign, which attempts to cover the whole state in a broad way, we must now have an intensive campaign in which the endeavor is made to enlist certain specific towns. In this campaign much may be done by the mayors and other officials of the cities now in the League. Let each city make a campaign that is carefully organized and systematically directed

to bring into membership all of its neighboring cities. In that way we should practically double our membership in the next year. Not all of the members of our Committee on Membership have taken this part of their duties seriously and have made an effort to be responsible for their respective districts. Yet this must be done if we are to add any appreciable number of towns to our list. Moreover, it may be well said that the towns now outside the fold are those that perhaps need the League and its influence most of all. The officials of the small towns do not always realize how important it is for them to be in touch with the latest methods in administration and in government.

Before we hold our next convention the State Legislature will have met. This is, therefore, the time for carefully planning a campaign for needed municipal legislation. It is essential that we do not scatter our efforts but rather that we should concentrate on three or four important measures. Among these measures I trust that there may be one authorizing towns to pay dues in the League of Minnesota Municipalities, and also authorizing such towns to pay the expenses of delegates to the annual conventions. This bill was introduced at the last Legislature and had little or no opposition. It was smothered to death, however, in the great mass of bills which accumulated at the end of the legislative session, and which were therefore not reached. I make a plea therefore that a keen, alert, and aggressive committee be appointed to whom shall be given charge of pushing the League bills be-

*At Fourth Annual Convention of the League of Minnesota Municipalities, Red Wing, Minnesota, October 18, 1916.

fore the Legislature. For obvious reasons neither the Secretary nor the Head of the Municipal Reference Bureau are in a position to do this kind of lobbying before the Legislature. Men should therefore be selected who live near St. Paul, and who have at heart the interests which we are trying to represent.

With each year the authority and the prestige of the League should rightfully increase. It is necessary that the Legislature and other organizations of statewide interest be impressed with the fact that the League is the agent and representative of the municipal interests of the state, and that therefore it speaks with authority on municipal subjects. It is therefore necessary that we avoid partisanship, and rally to the support of a good law by whatsoever parties or interests it may be supported. To make the League still more effective, I must insist that it is necessary to bring into our membership practically an additional one hundred of towns and villages of Minnesota. This is not impossible if we work with zeal and with well directed plans.

Last winter the All Minnesota Development Association met at the call of the Governor in St. Paul. At this convention the League of Minnesota Municipalities was represented by its Secretary. This All Minnesota Development Association aims to co-ordinate all the various agencies, clubs, leagues, and associations which are working in any way to develop the material and moral interests of this state. Your Secretary is serving upon one of the committees of this body.

In February, 1916, by authority of the Executive Committee of this League the arrangement with Mr. Frank G. Pierce of Marshalltown, Iowa, by which membership officials received monthly copies of his maga-

zine, "American Municipalities," was canceled. In place of this arrangement it was decided that the League itself should publish a bi-monthly magazine to be called MINNESOTA MUNICIPALITIES, a copy of which was to be sent to every membership official. The publication of this bi-monthly magazine was begun as an experiment. There were those on the Executive Committee as well as other officials of membership cities who believed that it was a mistake to publish the proceedings of our annual conventions in pamphlet form as had been done during the two preceding years. These gentlemen asserted that the volume of proceedings was bulky, that it was formidable to read through, and that most persons to whom it was sent either laid it aside or threw it into the waste basket. These men believed that this same material if presented in magazine form every other month would obtain a reading. While their Secretary was doubtful as to the wisdom of the proposed step, he acquiesced and the proposed magazine became a reality, the first number being issued in February, 1916. Five numbers have now been issued, and therefore the delegates here present are probably in a position to say whether or not they believe the experiment to be a success. A considerable amount of advertising has been received, and this has helped materially on the expense for issuing the magazine. For next year we already have contracts calling for more than \$100 worth of advertising. It may be pointed out that city officials can be of great assistance in this matter of securing advertisers if they will deal so far as possible with the firms who do this advertising, and if they will call attention to the fact that they saw the advertisement in our magazine. More-

over, it will be of great assistance if city officials when they are solicited for business will state that they would be glad to see the soliciting firm's ad in MINNESOTA MUNICIPALITIES. This is a co-operative enterprise, and we should all pull together to make the thing a success. The magazine has already received very favorable comment from influential sources outside of Minnesota.

In May, 1916, Mr. G. A. Gesell, who for two years had been the Head of our Municipal Reference Bureau and who at the Virginia Convention of last year was elected Executive Secretary of the League, resigned his position in the General Extension Division of the University of Minnesota. He is now Commissioner of Public Affairs in the newly re-organized St. Paul Association of Commerce. Mr. Gesell had been in touch with the League from its first convention on. It is quite certain that the League and the Municipal Reference Bureau will miss his valuable services. He is succeeded as Head of the Municipal Reference Bureau by Mr. E. L. Bennett. By virtue of his position, Mr. Bennett is also acting as Editor of our magazine, MINNESOTA MUNICIPALITIES.

The Municipal Reference Bureau in the General Extension Division has been steadily widening the scope of its activities in behalf of the cities, towns, and villages of this state. During the past year one hundred municipalities in Minnesota made use of the services of the Bureau in one way or another. This was in addition to numerous calls from bureaus, officials, etc., outside of Minnesota. There were eighty-five definite problems submitted to the Bureau, some of them involving the exchange of a number of letters. Many of them involved days and weeks of

research and of correspondence with other agencies of information. About sixty different subjects were treated. The subjects most generally treated were franchises, streets, heating, pavements, lighting, traffic regulation, sewerage and sanitation, commercial and civic problems, accounting. There were about one hundred and fifty requests for bulletins issued by the Bureau. In order to answer some of these inquiries, questionnaires were prepared and sent out by the Bureau on road oiling, central station heating, commercial and civic clubs, municipal bor-

It may be pointed out that city officials can be of great assistance in this matter of securing advertisers if they will deal so far as possible with the firms who do this advertising, and if they will call attention to the fact that they saw the advertisement in our magazine.

From the report of the Secretary-Treasurer of the League of Minnesota Municipalities.

rowing, and water rates to railroads. It should be stated here that there is a steady accession of material on municipal topics in the files of the Municipal Reference Bureau. The exchange list for MINNESOTA MUNICIPALITIES is valuable and growing, and of course such an exchange list adds materially to our sources of information. The fact should be made more generally known that the Bureau's services are available, so that when city officials are bothered by questions which they are unable to solve on the ground, they may send in their inquiry

to the Bureau and have the latest and most authentic information obtainable prepared and sent them. While the Bureau is now more largely used than ever before, we still hear once in awhile of a town that is in search of certain information and apparently does not know where to turn for help. It should be clearly understood that the Bureau was established for the sole purpose of making investigations and researches and of procuring information on muni-



MR. OSCAR SEEBACH

President of the council of the city of Red Wing, Representative-elect to the Legislature of the State of Minnesota.

icipal subjects in any other ways for municipal officers. If the demand for this information and assistance becomes overwhelming, the University will be glad to add to the facilities and equipment of the Bureau.

During the year the question of the Cameron patents on the process used in

septic tanks by many Minnesota towns came to an issue. The Cameron Company was proposing to sue the cities which were using septic tanks for royalties and for damages. The cities of a number of states united to form the National Septic Process Protective League. In this League nineteen states are now represented. The Secretary-Treasurer of the League is Frank G. Pierce of Marshalltown, Iowa, who is Secretary of the League of Iowa Municipalities. It should be clearly understood that this National Septic Process Protective League is a separate organization and has nothing to do with the League of Minnesota Municipalities. However, the Secretary of your League is one of the directors from Minnesota of the League under discussion. This new League was formed for the express purpose of defending suits against the cities, and if possible putting through a test case that would decide the many questions involved. In a letter dated October 12, Mr. F. G. Pierce gives the following statement of the present status of affairs in the League:

The Cameron Company has sued the city of Shelbyville, Kentucky. Mr. Wallace R. Lane of Chicago has been retained to represent the National Septic Process Protective League. For his services he is to obtain an annual retainer of \$250, and \$50 a day for time actually spent on the case. It is hoped to get the Shelbyville case in such shape that it will be a test case. The Septic Process League at this time has one hundred and eight members, and each member is contributing to the cost of contesting this case. Something like fifteen Minnesota cities and villages are members of the League. Up to this time the only expense the League has had is for printing and postage,

and this does not amount to more than \$75 or \$80. Since Mr. Lane has been retained the expenses will be heavier. Mr. Pierce states that about the first of November he expects to send a report to each of the cities stating just how much money has been received and what has been expended.

Your Secretary would be glad to know if the membership cities would recommend the addition of an engineer to the Staff of the Municipal Reference Bureau? It has been proposed that a municipal engineer be engaged on full time with the proviso that he give up all private practice. Such an engineer might be sent out to any town on request for the purpose of giving advice on municipal projects. The actual engineering work would of course have to be turned over to the professional engineer. It is believed that this plan would meet the objections of the State Engineering Society, whose opposition to our former plan was based on the fact that the engineer proposed was taking business away from them by private practice.

It has been stated before in this report that this winter the Legislature meets. This is a critical time not only for the League but also for the Extension Service of the University. If this service is acceptable to the members of this League, and if we are doing work which the cities want done, then there would be no impropriety if officials called upon their representatives in the Legislature and informed the representatives that city officials are anxious to have the Extension work of the University adequately supported. The Legislature will undoubtedly be glad to furnish the financial support to the Extension work whenever they are convinced that the people of the state want

this service from the University. They can be easily convinced if every interested person informed his representative.

Up to October 14, when this report was prepared, one hundred and twenty-one towns, cities, and villages have come into membership of the League during the year. The following is the list:

Ada	Hastings	Red Lake Falls
Altkin	Herman	Red Wing
Albert Lea	Hewitt	Rockville
Aurora	Hibbing	Rochester
Austin	International	Rosemount
Albany	Falls	Rush City
Balaton	Jackson	Rushmore
Baudette	Janesville	St. Cloud
Bemidji	Kasota	St. Louis Park
Benson	Kasson	St. Paul
Bigelow	Keewatin	St. Peter
Bitwabik	Kenyon	Sauk Center
Blackduck	Lake Benton	Sauk Rapids
Blue Earth	Lakefield	Seaforth
Breckenridge	Little Falls	Shakopee
Buhl	Madison	Sleepy Eye
Butterfield	Mahnomen	South St. Paul
Caledonia	Mankato	South Stillwater
Canby	Marble	Spooner
Cannon Falls	Mazeppa	Staples
Chaska	Milaca	Stillwater
Chatfield	Milan	Thief River Falls
Chisholm	Minneapolis	Tonka Bay
Clara City	Minnesota Lake	Tracy
Clarkfield	Minnetonka	Two Harbors
Coleraine	Beach	Vernon Center
Deerwood	Montevideo	Virginia
Deephaven	Morris	Wabasha
Detroit	Mountain Iron	Wabasso
Dodge Center	Nashwauk	Wadena
Duluth	Nevis	Warren
Ely	New Ulm	Wells
Emmons	Northfield	West Minneapo-
Eveleth	Norwood	lis
Fergus Falls	Ogema	Wheaton
Frost	Ogilvie	White Bear
Gaylord	Osseo	Willmar
Glenwood	Parkers Prairie	Winnabago
Gilbert	Paynesville	Winona
Goodhue	Plummer	Woodstock
Hancock	Raymond	Worthington

Our fiscal year ended on September 1, 1916, and at that time dues for the year ending September 1, 1917, became payable. The Secretary's Office sent notices and statements of account to all the towns, and during the next month two more urgent reminders were sent urging officials of the cities which had not yet renewed to send in their dues promptly. The following towns have notified us that they wish to drop their membership for the coming year:

Chatfield	Clara City	Rockville
	Stillwater	

In most of these towns the reasons given are financial. Sometimes the re-

duction of revenues through the loss of saloon licenses is given as the cause. In some cases the town promises to be back in membership in another year.



MR. R. SWINNERTON

Alderman of the village of Hibbing, Chairman of the Board of Trustees.

In addition to these towns the following towns have not sent in their dues for the current year:

Baudette	Hewitt	Paynesville
Bemidji	Jackson	Raymond
Butterfield	Madison	Red Lake Falls
Clarkfield	Mazeppa	Rosemount
Deephaven	Millaca	Rush City
Detroit	Minneota	Wabasha
Dodge Center	Minnesota Lake	Wabasso
Gaylord	Nevis	Wells
Glenwood	Parkers Prairie	Winnebago
		Woodstock

It does not necessarily follow that the towns which are delinquent intend to drop out. It sometimes means that an officer has failed to send in the warrant. After the Convention the Secretary will make another effort to bring these towns to renew their membership. It still must be reiterated each year that the first cause for the dropping of membership on the part of the city is the regular change of city officials. The new officials have to be edu-

cated with reference to the value of membership in the League and while that is going on the town often lapses.

We have been fortunate from the beginning in the character and the ability of the officers of the League, and the year under survey is no exception. Our President has labored steadfastly and with zeal to advance the League's interests. The trustees also have not failed in rendering cheerful service. We shall be fortunate if we can always keep men of ability, character, and administrative efficiency in charge of our affairs.

FINANCIAL REPORT OF THE TREASURER

This financial report together with the vouchers, cancelled checks, check book and duplicate receipts is hereby submitted to the auditing committee.

Receipts.

Oct. 19, 1915, Balance carried over.	\$ 731.52
over	\$ 731.52
Rec'd. from advertising in magazine	164.45
Rec'd. from subscriptions to magazine	28.38
Received from dues of cities	1,360.28
Total receipts..	<u>\$2,284.63</u>

Expenditures

Expended for printing	802.80
Expended for postage	219.00
Expended for office expense	35.42
Expended for miscellaneous	111.64
Total expenditures	<u>1,168.86</u>

Oct. 16, 1916. Balance on hand	<u>1,115.77</u>
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The detailed account of these receipts and expenditures may be learned from the itemized statements in the Treasurer's books which will be handed over to the auditing committee. The following statements, however, should be made here:

1. The item of postage, \$219.00, is somewhat larger than last year. This is because of increased circularization and also because of the bi-monthly issue of the magazine, MINNESOTA MUNICIPALITIES. This latter item is not as large as it might be because of the fact that we have obtained for the magazine admission as second class matter and therefore the magazine goes under pound rate. There is about \$5.00 worth of postage on hand.

2. The item of printing \$802.80 is almost twice as large as it was for last year. This is of course accounted for by the new magazine which costs from \$105.00 to \$150.00 for each number. Another large item, \$41.75, is for programs, envelopes and post cards for this meeting. The rest of the total is made up of items such as envelopes and letterheads and the printing of circular letters used for building up membership in the League. There is approximately \$20.00 worth of mailing envelopes on hand.

3. The item of office expense \$35.42 is made up largely of exchange on warrants sent in by membership towns and wages paid to extra office help for addressing circulars and announcements in behalf of the League. This includes also extra help for addressing the mailing list for the magazine, MINNESOTA MUNICIPALITIES. The item of exchange could of course be considerably reduced if the cities made a practice of sending in their dues in the form of drafts. However, it is quite possible that in

many cases this cannot be done. Under this head comes one item of \$2.50 as the annual premium on the Treasurer's bond. It should be noted, however, that the League has no expense of salaries to meet under this head or any other. The routine work of the League as well as the work of solicitation and building up of membership is carried on without expense to the League, so far as salaries are concerned, in the offices of the General Extension Division at the University of Minnesota, particularly in the Municipal Reference Bureau.

4. Under the head of miscellaneous we have paid out this year \$111.64, which is one-fifth of the amount paid

Moreover, it will be of great assistance if city officials when they are solicited for business will state that they would be glad to see the soliciting firm's ad in MINNESOTA MUNICIPALITIES.

From the report of the Secretary-Treasurer of the League of Minnesota Municipalities.

out under this head last year. This is of course accounted for by the fact that we no longer pay for the monthly issues of American Municipalities, which last year amounted to about \$35.00 a month. This monthly payment was carried on the Treasurer's books under the head of miscellaneous. The publication of our own magazine makes these payments now unnecessary. During this year, however, we paid Mr. Pierce for the November number of his magazine \$38.65, and for the December number \$38.90. These two items enter into the total mentioned

above. After the December number we began the preparation to publish our own magazine.

5. It should be noted that though we are carrying over on this date a balance of \$1,115.77, this is not a free balance. This amount must carry the affairs of the League until next September when annual dues are receivable again. This balance therefore must be understood as covering a considerable amount of what may be called unearned dues. From this amount six numbers of MINNESOTA MUNICIPALITIES must be paid for, and all the other expenses of the League maintained. We also owe the unearned balance of subscriptions to the magazine. We now have bills for advertising due us and unpaid amounting to \$21.93. As an offset to this, advertising has been paid for in advance to the amount of \$7.50. We have advertising contracted for to be carried during the next year amounting to \$107.97.

It will be seen therefore that while we carry over what appears to be a very healthy balance, much of this balance is already definitely mortgaged for specific purposes.

Respectfully submitted,

Richard R. Price,
Secretary-Treasurer.

REPORT OF THE AUDITING COMMITTEE October 18, 1916

The Auditing Committee of the League of MINNESOTA MUNICIPALITIES has examined the books and vouchers of the Secretary-Treasurer and found them correct.

Albert E. Bickford,
J. A. Wasson,
Easton Floe,
S. A. Siverts, Jr.
Auditing Committee.

A LEAGUE OF COMMUNITY CLUBS

A round-table conference of a number of secretaries of commercial and civic organizations was held at the University of Minnesota, September 6, 1916. The data in the Municipal Reference Bureau report (see the October number) were examined and discussed by the gentlemen present, and a number of illuminating experiences were recounted. Mr. Bernhard Ostrolenk of Canby told of the excellent work the clubs of that city have done in the last few years, and thereby furnished matter for a thorough discussion of the proper work which the clubs may successfully do in Minnesota communities.

It developed that those in attendance were of the opinion that the clubs of the state should have an organization in some measure corresponding to that of the League of Minnesota Municipalities, and likewise should avail themselves of the facilities of the General Extension Division of the University for such services as it can render. The name "League of Minnesota Community Clubs" was selected, and a temporary organization was effected by the election of Mr. P. J. Seberger, St. Cloud, as president; Mr. Fred T. Lincoln, Thief River Falls, as secretary, and Mr. Emmett L. Bennett, secretary of the Municipal Reference Bureau of the University, as executive secretary. These officials were charged to look after the interests of the proposed organization until such time as a further conference should be held to carry on the work begun.

At the direction of the conference a committee was appointed to draft an expression of the purposes of the League, to be considered at the next conference. The committee has prepared for submission the statement given

hereafter, and invites criticisms and suggestions from those interested in the movement. Correspondence upon any phase of the organization may be addressed to any of the temporary officers named in the preceding paragraph.

DEFINITION OF PURPOSES
of the
LEAGUE OF MINNESOTA COMMUNITY CLUBS

1. To perpetuate and develop the League as an agency for the co-operation of the University of Minnesota and commercial and civic clubs in the practical study of community affairs.
2. To promote the best methods in organization and administration of such clubs by holding at least one state conference annually for the discussion of problems related thereto and by circulating information and experience thereon.
3. To promote the development in the General Extension Division of the University of Minnesota of a clearing house of information for the officers and members of commercial and civic organizations.
4. To facilitate co-operation between the University of Minnesota and the commercial and civic organizations within each community in the development of methods of group activity and work for the advancement of the moral and material prosperity of the community and the state.
5. To encourage the establishment in the University of Minnesota of courses for the training of students to fit them for the work of directing and administering the affairs of commercial and civic organizations in the capacities of secretaries or officers thereof.

Los Angeles, California, which has somewhat exceptional water power resources, expects to generate electric current at a cost of one-fourth cent a kilowatt hour at the plant, and to be able to sell it down town at a profit for three-quarters of a cent.

If there's a chance that an advertiser in MINNESOTA MUNICIPALITIES could serve your municipality, send a card or a letter of inquiry to make his acquaintance.

PRINTED MATTER

Bulletins of the Bureau of Standards

The following circulars of the Bureau of Standards of the Department of Commerce are among the material on file in the Municipal Reference Bureau:

No. 13—Standard Specifications for Incandescent Electric Lamps. (7th edition), 14 pp. Illustrated.

No. 16—The Testing of Hydrometers. (4th edition), 16 pp. Describes apparatus and methods. Illustrated.

No. 20—Electrical Measuring Instruments. (2nd edition), 57 pp. The various sorts of indicating and integrating and recording electrical instruments are treated. One section deals with transformers. Three pages are given to notes on design of electrical instruments. Performance and testing of instruments are thoroughly treated.

No. 32—Standards for Gas Service. (3rd edition), 197 pp. Contains discussions of technical regulations—candle power and heating values, purity, pressure limits, meters, and testing; enforcement—whether by city or state, inspections, penalties; proposed forms of regulations for state commissions, and of city ordinance; a summary of laws and ordinances in force; and a chapter on manufacture and distribution of gas.

No. 34—The Relation of the Horsepower to the Kilowatt. (3rd edition), 16 pp. Points out the confusion that is likely to arise from the various meanings of horsepower; and projects a solution as the watt comes more into common use.

No. 37—Electric Wire and Cable Terminology. (2nd edition), 13 pp. A very present help to the layman.

No. 48—Standard Methods of Gas Testing. (2nd edition). Determination of heating power, candle power,

impurities; pressure records and interpretation; meter testing; specific gravity determination; dew points of gas; determination of atmospheric humidity.

No. 49—Safety Rules. 50 pp. To be observed in the operation and maintenance of electrical equipment and lines.

No. 50—National Standard Hose Couplings and Fittings for Public Fire Service. 23 pp. Illustrated.

No. 54—Proposed National Electric Safety Code. 137 pp. A preliminary edition prepared by the Bureau and submitted for discussion and criticism before final revision and adoption.

No. 56—Standards for Electric Service. 262 pp. A thorough examination of the field, and of the work of states and cities in fixing standards.

Any of the circulars mentioned may be procured by a request addressed to the Director, Bureau of Standards, Washington, D. C. They are well worth space in the library of the citizen and of the city official who has to deal with the utilities.

COMMUNITY DEVELOPMENT

As a piece of fine writing the book I have just finished reading would not rate extraordinarily high. If it purported to be a treatise of exact economics, it would often pain those whose principles it rather carelessly wrenches now and then. But it does succeed passing well in the work cut out for it. The author set himself to write a manual for those who think and speak of the place of their residence as "our town," and who desire to work as effectively as may be for the progress and development of that town. We may not relish all the platitudes he has mingled in some chapters, but it is worth while to take them rather than forego what he has to tell on the successful organizing and managing of a

commercial club or an improvement society. He manifestly speaks from a rich experience when he discusses means of building up a community through co-operation in town affairs, through interesting neighborhood farmers in the common benefits that may be derived from organized effort at improving roads and streets and market facilities, through the judicious use of advertising and the promotion of community celebrations. For the man who believes in his own town there is scarcely another book published so rich in usable devices and so replete with suggestions of value.

"Community Development." By Frank Farrington. 257 pp. Nineteen chapters and a bibliography. Ronald Press Co., N. Y. \$1.50.

An Appeal

It would be a valuable service to the municipalities in the League, and indeed to all in the state, if each were to furnish to the Municipal Reference Bureau a copy of every ordinance and important resolution passed. There they will be filed for preservation and reference use in the work of the Bureau. And it would be better still to make it two copies. It could be done by passing the following

Resolution

Be it resolved, by the council of the
.....of

That the (village) city clerk (recorder) is instructed to send to the Municipal Reference Bureau of the University of Minnesota two accurate copies of each ordinance hereafter passed by the council of the of, together with copies of such resolutions as may be directed by the council or requested by the Bureau. Such ordinances and resolutions are to be placed in the files of the Municipal Reference Bureau for preservation and reference.

Report of the Committee on Resolutions

To the League of Minnesota Municipalities:—

Your committee on Resolutions takes pleasure in submitting the following report, expressing some of the sentiments which have been inspired by attendance at the Fourth Annual Convention of the League.

The members in attendance have obtained both enjoyment and profitable information through the opportunity to visit Red Wing, known through Minnesota and beyond its limits as "The Desirable City."

The courtesy and hospitality of its people, as expressed by its Mayor, Hon. A. P. Pierce, and as shown by its officials and other citizens, has been most highly appreciated and the convention hereby expresses, so far as words can express, its thanks for all that was done to make the convention successful and an occasion of pleasure to its delegates.

The activity of President J. N. NicholSEN, Secretary R. R. Price and other officials in their efforts to increase the membership of the League, deserves commendation and the League unhesitatingly expresses its appreciation of their work. Our thanks are due them and are hereby expressed for their work in arranging the programme of this convention.

We are extremely grateful to all of those who participated in the programme and especially to President Frank L. McVey of the University of North Dakota, for the two timely addresses delivered by him. We wish also to express our thanks to the Minneapolis Civic and Commerce Association for its action in giving us an opportunity of hearing a strong paper upon the subject of "Civil Service" by

Mr. Robert Catherwood, President of the Chicago Civil Service League.

Your committee is of the opinion that the League is now firmly established and will prove as time goes on of inestimable advantages to the cities and villages associated in its membership and indirectly to the state of Minnesota. We are convinced, however, that there are many more municipal organizations in the state which ought to become affiliated with the League, for they will find membership in the organization of distinct advantage to them. The opportunity the League affords for the officials of cities and villages to obtain a broader grasp of their duties, through an interchange of ideas at the annual meetings, is in itself an important consideration, while the opportunity the League gives to cities and villages to obtain information and reliable data upon special problems which they are called upon to solve, will be found of greatest advantage.

We desire again to commend the work of the Municipal Reference Bureau of the Extension Division of the University of Minnesota. We believe the maintenance of this Bureau of greatest importance to the all-round development of Minnesota and we respectfully appeal to the Legislature of Minnesota to provide funds whereby the work of this Bureau and of the Extension Division of the University as a whole may be broadened and strengthened.

Respectfully submitted,
Wallace G. Nye, Mayor, Minneapolis,
J. H. Anderson, Mayor, Austin,
W. H. Borgen, City Clerk, Duluth.
E. C. Willin, Mayor, Willmar.

A Construction Program

One of the noticeable features of municipal construction in Minnesota is the considerable number of contracts let in the late summer. Most improvements could be finished with less cost if they were completed in a single season. It is necessary to begin early in order to do this. In the late summer and fall the labor problem is a difficult one for the contractor and if he must pay \$3.00 a day for laborers he must charge more for his work. Unfortunately this point, seemingly so obvious, is often forgotten or ignored. The contractors are not so anxious for work in the late summer as in the spring and the benefits of competition are not so evident. The engineers are busy in the summer and in order to meet the demand for rush work must add to their regular staff. These additional men are less experienced, slower, and more expensive than the regular ones and the engineering cost is correspondingly increased and in the end the city or village foots the bill. In fact anything tending to increase the cost to the contractor is paid for by the city or village, for the ultimate consumer always pays.

Among the main reasons for the prevailing lateness of doing the work the first is probably the lack of a consistent program of public improvements, extending over a number of years. These improvements are carried on by patchwork methods, often under different administrations, which do not always follow the plans of their predecessors, nor always leave work in good shape for their successors to take up.

If a new council comes in every year it ordinarily finds it a difficult task to determine what is needed. By the time the members have familiarized themselves with the situation the construc-

tion season is well under way, and bids received are accordingly high.

Every small city might easily have an accurate and up to date map of the ground within the corporate limits showing the contour of the ground, the correct street layouts, the existing public improvements, and the established street grades. Such a map on a scale of one hundred feet to the inch mounted, framed, and hung in the council room, and kept up to date would be an invaluable guide not only to the council, but to every citizen desiring some change or improvement in his surroundings. It would show the exact location of water pipes and valves and of sewers and Ys for house connection and would save hundreds of dollars spent in the course of a few years in digging up the streets in vain search for troublesome pipes. It would show at a glance the annual progress of construction from year to year, and could well indicate projected improvements.

It is desirable therefore, for a city or village to plan its work consistently from year to year as a successful business house does, and furthermore that each year the plans should be prepared well in advance of the working season, so that the planning may be inclusive and deliberate. It is expensive to hurry the planning. The time to exert pressure is during the construction and that may be done by giving the contractor time to get his material ordered and delivered, for his men will work better when the material is piled up in front of them.

There may be other means of maintaining a consistent construction policy in a small municipality, but this idea of having a clear, easily read, up-to-date map of large scales is among the first of them.

Municipal Ownership

A Communication from HERBERT S. BIGELOW

The arguments of Mr. W. J. Norton, against Municipal Ownership, or rather, what he calls the Municipal Ownership Propaganda, as published in the October MINNESOTA MUNICIPALITIES invite the following comments:

1. An expected scarcity of capital, following the war, is urged as a reason for cities to save their capital for streets, sewers, etc., and to encourage private capital to remain in the public utility business.

Since cities can always borrow money at lower rates of interest than public utility corporations, the expected scarcity of capital would seem to be an argument on the other side of the question.

2. It is urged that, with expected changes in the methods of production, local power plants are likely soon to become obsolete and that municipal ownership involves therefore a risk of loss which the cities should avoid.

Private corporations, whose managers are supposed to be keener than municipal managers, are making new investments in these local plants. The Cincinnati Electric Company has just put on the market ten millions of securities for such a new plant. If these public utility men believe that their advice as to the risk of these investments is good, why don't they take it themselves?

3. It is charged that the City of Cleveland built her electric light plant "with the deliberate intention of destroying the private investment in that city."

The fact is that Cleveland had tried for fifteen years to get what she thought a fair regulation of the rates of the private company through government commissions. These efforts were absolutely futile. Regulation by commissions having failed, Cleveland decided to try regulation by competition. The latter plan has succeeded. That is why public utility interests are for regulation by State Commissions, and against competition by municipal ownership, because one plan works and the other doesn't.

But Cleveland was more than fair, she was generous with the private investors. She planned a plant to take care of only about one-third of the business. She did not aim to crowd the private company out of the field. She aimed merely to prove by her own plant, that electricity could be manufactured and distributed at a profit for from one to three cents per KW hr. She has proved that contention. The private company used solemnly to swear to State commissions that anything less than a twelve cent rate would bankrupt it.

When a new merchant comes to town and opens a store, the old merchants do not accuse him of a dishonest attempt to destroy their property. Competition is regarded as fair among private business men. Why is it dishonest for a city to have recourse to competition as a last resort in protecting its citizens against the extortions of a monopoly?

4. It is charged that, in my discussion of the Cincinnati Electric Plant, half truths were indulged in, and that there was information open to me which I did not use. Since we are not told what this information is which was held back, it is impossible to answer this charge. It is material to note, however, that since this discussion, the Cincinnati Electric Light Company has officially, in hearings before the State Public Utility Commission, claimed a value for its property of about twenty-two million dollars. The State Commission has rendered its judgment on this claim, and has allowed the company a valuation of only about nine million dollars. A valuation

made by an expert employed by the city of Cincinnati, appraised the property at something under eight million dollars.

If there was information sufficient to convince the State Commission that the company was entitled to earnings on thirteen millions more than was allowed, the company failed to bring it out.

5. It is charged that municipal ownership arguments are "half baked."

A study of the subject impressed me that the figures of the public utility corporations are well "cooked up" to conserve the interest of their millions of paper values.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota
E. L. BENNETT, Secretary

A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

Sirens on Private Motor Cars

Question: Our city has a fire truck to which is attached a siren screecher to warn people of the approach of the car. There is also in the city a private car equipped with a similar device, and the authorities would like to know if there are any means of prohibiting the use of the device on a private car. Could you inform us if Minneapolis, or any other city in Minnesota, has an ordinance covering this matter, and if so will you kindly supply us with a copy?

Answer: There could be no question as to the power of a municipality

to prohibit the use of sirens on the ground of constituting a nuisance or of interfering with the effectiveness of the fire department. I am transmitting the following ordinance relative to this question applying in the city of Minneapolis:

"Prohibiting the use of siren or sireno horns in the city of Minneapolis except upon and in connection with the use of automobiles and apparatus of the fire and police departments of the city of Minneapolis and insurance patrol and ambulances of said city.

"The City Council of the city of Minneapolis do ordain as follows:

"Section 1.—No person, company, or corporation shall hereafter, in the city of Minneapolis, Minn., use or blow or sound or cause to be used, blown, or sounded any siren or siren horn or horns, except upon and in connection with the use of automobiles and apparatus of the fire department and police department of the city of Minneapolis and except by the insurance patrol and upon ambulances in said city.

"Sec. 2.—Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, before the Municipal Court of the city of Minneapolis be punished by a fine not to exceed \$50.00 or in default in the payment of such fine by imprisonment not exceeding sixty days.

"Sec. 3.—This ordinance shall take effect and be in force from and after its publication. Passed June 9th, 1911. Approved June 15th, 1911. Published June 16, 1911."

This ordinance has been amended so as to include also a display of red lights on the rear of cars.

HANDLING OF SNOW

Question: (1) We wish to procure an ordinance which will enable us to keep the sidewalks of the city cleared of snow, without having to clear them at the expense of the city. Could you supply us with such a form? (2) Aside from convenience of traffic, is there any reason for the city to remove snow from the sidewalks and streets? (3) What methods of clearing the streets and disposing of the snow are considered best adapted to Minnesota cities?

Answer: (1) Herewith is an ordinance which should answer your requirements:

An ordinance providing for the removal of snow and ice from streets and

sidewalks within the limits of the. of

The council of the..... of do ordain as follows:

Section 1. It shall hereafter be the duty of all occupants of tenements and lands within the limits of the..... of..... to remove the snow falling upon the sidewalks in front of their premises, within the times and in the manner hereinafter set forth. It shall be the duty of the owners of all vacant and unoccupied property to remove the snow falling upon the sidewalks in front of their lots and lands within the limits of the of It shall be the duty of all owners or occupants of corner lots or premises to remove the snow falling upon the streets, from the end of the sidewalks, at the curb, to the center of the street, and to a width equal to that of the sidewalk. Snow shall be removed as soon as practicable after falling, and in no cases shall snow be permitted to remain on the sidewalk for a longer period than (twenty-four) hours.

Sec. 2. It shall be the duty of all occupants or lessees of tenements and of all owners of unoccupied lands or tenements to sprinkle ashes, salt, or sand upon any ice forming upon sidewalks in front of such properties, if such ice cannot readily be removed, so that such sidewalks shall be rendered safe for the passage of pedestrians. As soon thereafter as practicable such ice shall be removed.

Sec. 3. It shall be the duty of all police officers upon their respective beats to observe whether the foregoing provisions of this ordinance are complied with, and to make suitable reports to the chief of police, and it shall be the duty of the chief of police to compile such reports and present

a summary thereof to the mayor for the council.

Sec. 4. Any person violating any of the foregoing provisions of this ordinance shall, upon conviction thereof, be subject to a fine of not less thandollars, nor more than..... dollars, and costs of prosecution, or shall be subject to imprisonment in the county or city jail for a term of..... days. Payment of such penalties shall not be held to relieve any party of paying the cost of removal of snow and ice, as hereinafter provided.

Sec. 5. It shall be the duty of the street commissioner (when ordered by the city council) to cause to be removed or sprinkle as hereinbefore provided for the owner or occupant of any lands and tenements within the..... immediately upon the default of such owner or occupant. The (..... clerk) shall keep an accurate account of the expenses of removing or sprinkling such snow or ice and at (the close of the season) shall cause an assessment to be made against property abutting upon such sidewalk to defray the expense of removing or sprinkling such snow and ice, which assessment shall be enforced and collected in accordance with the laws (or charter provisions) governing special assessments in the of.....

Sec. 6. This ordinance shall take effect and be in force from and after the date of its publication in the official paper of theof.....

Snow Removal from Streets

(2) There are other reasons than simply the convenience of traffic. If snow is not removed promptly, traffic will pack it so that its removal will be much more difficult and costly. Alternate thawing and freezing are likely to form a dangerous icy coating which might involve the city in litigation

for damages for injuries sustained thereby. In the streets the traffic tends to wear and follow ruts through the snow, with resulting excessive wear upon these strips of the pavement or street surface, which necessitates expensive repairs the next season.

(3) Methods must be adapted to circumstances. On some streets it is sufficient to sweep or plow the snow to the sides and leave it there. On busier streets it must be removed. This may be done by hauling it away with teams or trucks, or by shoveling it into sewers.

There are now on the market a number of horsedrawn sweepers which are very satisfactory in light snows. An ordinary road grader has been successfully used as a snow plow. When the amount of work is great enough to justify it, the most economical method of piling the snow seems to be the use of motor machines which are made either to sweep or plow, according to the weight of the snow. It is very practicable to shovel snow into sewers if water from nearby hydrants is used also to insure a flow which will prevent clogging. Flushing snow from the pavement is sometimes practicable, but in freezing weather is likely to result in giving the street a dangerous coating of ice.

Users of electric current in Elbow Lake are expressing some dissatisfaction with the working out of a new schedule of rates instituted by the company there.

Lake City had two delegates at Red Wing attending the convention. When they had got home with the report of it their council appropriated the amount of a year's dues, and Lake City came into the League.

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ough consideration.

The League of Minnesota Municipalities

Organized August 21, 1913

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Secretary's Office and League Headquarters:

Main Engineering Building, University of Minnesota
Minneapolis

FIFTH ANNUAL CONVENTION,

ST. CLOUD

October 17-18, 1917.

The League of Minnesota Municipalities is a co-operative association of the cities and villages of the North Star State, all contributing to the common stock of practical knowledge and experiences which is accumulating for the use of cities and villages in solving their actual problems of municipal administration. The purposes of the League are not narrow and self seeking; its efforts are directed toward the service of the municipalities of Minnesota by extending the achievements of each to all the rest, and by working all together to accomplish the things that can best be done by co-operation. The purpose of a municipality in joining the League is not to secure any particular advantage for itself alone, but rather to take its place and do its part in working for the advancement of good and efficient government for all cities and villages.

Fees and Dues.

Less than 500 population....	\$5.00	5,000 to 10,000.....	20.00
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MINNESOTA MUNICIPALITIES

Devoted to Municipal Progress in Minnesota

VOL. II.

APRIL, 1917

No. 2

TABLE OF CONTENTS

Editorials

Lycurgus R. Moyer	33
The Council's Responsibility	33
Let It Be Known.....	35
What Organizations Can Do for Municipal Development.....	36
The Effects of Exemption of Railroads from Special Assessments.....	49
The Community Chautauqua	52
Minnesota State Tax Conference.....	53
Report of Committee on Sewerage and Sanitation.....	55
Report of Committee on Public Health.....	59
Printed Matter	62

Information Department

Supplying Water to Railroads.....	64
The Owatonna Telephone Case.....	66

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Co-operation Means Working Together

It is through co-operation that the best things are done. A village or a city working alone cannot accomplish what it can if it joins efforts with others who are interested in the same work.

The municipality which wishes to keep in touch with its neighbors should hold a membership in the League of Minnesota Municipalities.

The League holds a convention each October at which the problems of the municipalities of Minnesota are thoroughly discussed both by scientific experts and by municipal officials who are dealing with those problems at home.

The League publishes the proceedings of its conventions, together with a great deal of other municipal information, in the bi-monthly issues of MINNESOTA MUNICIPALITIES, which is sent to the councilmen and officials of member municipalities.

Besides receiving subscriptions to MINNESOTA MUNICIPALITIES for municipal officials, each member of the League is entitled to use the classified advertising columns of MINNESOTA MUNICIPALITIES without charge.

The League is affiliated with the Municipal Reference Bureau of the University of Minnesota, which makes investigations and answers inquiries upon all phases of municipal government and administration. The service is free.

The cost of membership is very low (see schedule of fees on inside back cover page). The benefits derived from the League conventions and publications are worth many times the cost.

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E. L. BENNETT, Editor

Minneapolis, Minn.

FREDERIC BASS, Associate Editor

VOLUME II

APRIL, 1917

NUMBER 2

Lycurgus R. Moyer

President of the Council of the City of Montevideo, Chairman of the League
of Minnesota Municipalities Committee on Parks, Playgrounds,
and City Planning.

Under his inspiration and guidance Montevideo has been made a city
almost of unexampled beauty. It is due to his rare vision that she stands
today an example in civic beauty to as many cities as the state contains.

The place Mr. Moyer held in the esteem of the League was high, and
deservedly so. He was one of the men who founded the League, and whose
generous work on its behalf contributed much to its success. The loss suffered
in his death is a heavy one to Montevideo and to all the municipalities
in the League and in the state.

The Council's Responsibility

"The property owners want bitulithic, and I don't see why they shouldn't
have it," is the summing up of one alderman's protests against the decision of
his colleagues to pave a certain street with creosote blocks. We do not
certainly know as to the accuracy of the first statement, although the alderman
was speaking from the text of certain petitions before the committee; other
petitions were entered in opposition to these, and the other alderman from his
ward favored creosote block.

It is not necessary to know the particulars of this case, however, to question
the validity of the contention implied in the last half of the statement, viz., that
the voice of the property owners should control the decision. The first alderman
was assuming that as the property owners were to be subjected to special assess-
ments on account of the pavement, their interest amounted almost to as much
as though paving were a voluntary private improvement upon their own
grounds, and that the council's action in the case should be of a formal, rubber

stamp nature. This view appears, in one form or another, as often as zealous partisans desire to have the advice of engineers or the general paving policy of the municipality set aside in favor of some particular type or brand of paving material. The councilman who opposes may incur the charge of contempt of the people of being undemocratic, and of riding a steam roller. These are grave accusations and it should not be amiss to point out that there may be considerations of weight in the defense.

Unless his preference is confirmed in the choice of pavement the offended owner of property is likely to feel that he is being compelled to accept a substitute when he wants to spend his money for a particular sort of pavement. But he misapprehends the principles involved; the money is no longer his. The street belongs not to him but to the city, and it is not trespassing on his rights when it disregards his preference. The pavement is not laid for his use, except as he is one of the general public who use all the city's pavements. Hence the assessment levied upon his property is not in the nature of a payment for the pavement. It is a payment for the estimated benefit conferred upon the property by the paving of the street, which may be as great to a lot whose occupants use the pavements hardly at all as to another occupied by a trucking company. Moreover the assessment may not amount to as much as the pavement costs, either because the benefit to a particular lot is less or because the municipality as a whole bears a portion of the cost. If the municipality paid the entire cost from general funds its right to disregard the preferences of owners of abutting property would hardly be questioned. It does not diminish the right of the city in the case to use special assessment funds. Since the real estate receives an increment in value at least equal to the assessment, all cases are in effect alike.

This does not mean that the preferences of those who live on a street should not be considered or consulted whenever possible. The right to overrule the property owners and tenants along a street as to how it shall be paved should be exercised only when the interests of municipality in general would suffer if the choice of the petitioners were adopted. In deciding the matter the council must look both to the immediate and to the future costs involved.

The first cost in a few cases may be increased by the adoption of either a heavier or otherwise more expensive pavement than the traffic requires. If the city pays for paving the street intersections, or a portion of the entire cost, from general tax funds, it would readily appear iniquitous to permit a few property holders on one street to impose such an extravagance upon all taxpayers. Moreover, if instead of establishing and abiding by one well considered paving policy for the entire city, each block or street is paved as a separate project, concerns supplying materials will undertake a greatly increased expense of persuading or attempting to persuade those residents of the peculiar merits of the pavement they are supplying. There would be not one market but many, and the added cost and uncertainty of selling in them would appear in the price of all pavements.

More important for the council to consider is the matter of future cost, in the shape of maintenance and replacement costs. The property owner not having these burdens to bear as special assessments, often has little patience

with the cost data and longevity figures of the paving engineer. Such a lack of foresight should not prevail in the council. The construction of an inadequate payment today means that the maintenance charges tomorrow are certainly increased, and that sooner than need be the whole city must contribute to the cost of rebuilding the street.

Let It Be Known

Last month a questionnaire to get information relative to the operation of the gross earnings tax exemptions was sent out. One official to whom it was sent declared himself as being from Missouri, and cited Sec. 4256, G. S. 1913, and 130 Minn., 480 to prove that railroads are "required to construct sidewalks on their rights of way." It was duly shown to him that this is very true, but that it does not affect the exemption of railroad companies from special assessments on their property abutting streets upon which improvements are made. A sidewalk across a right of way is a safety device which the state may require to be made part of the railroad system, under the police power, as it may require separation of grades. The improvement of a street on which railroad property abuts, but which is not part of the right of way, is another matter entirely.

A misunderstanding in the opposite direction from that noted appeared in a number of cases, one which it is of much more importance to clear up. It appeared that the railroads resist the efforts of certain villages which wish sidewalks constructed across the rights of way, claiming exemption under the gross earnings tax provisions. It is understandable that village officials should not be aware of the distinction in law which answers such claims. It is a little difficult to believe that the railroads are ignorant of the unsoundness of their pretensions in these cases, though that may be the explanation of their insistence upon rights which the law does not give them. At all odds, their ignorance or misrepresentation should not be permitted to inflict further suffering upon any municipality in the state. Let every village know that it can compel the construction of sidewalks across a railroad right of way, to connect sidewalks on either side. The road has no legal excuse for delay nor any defense for refusal.

The Duluth charter is being studied with a view to amendment providing the city manager plan to replace the Commission form.

A Civic Association has been organized in Faribault, with a charter membership of nearly three hundred and fifty. Its first activities indicate that it will be a vigorous and effective force in the growth of the city.

Bemidji has voted an \$8,000 bond issue for the erection of a new armory.

Monday, April 2, Rochester opens bids for the construction of a hydro-electric power plant and dam, on the south fork of the Zumbro river, near Zumbro Falls. The plant will have two hydraulic turbines of 1330 h. p. each, under a forty foot head. They will run two directly connected generators of 1150 K. V. A. capacity each.

What Organizations Can Do for Municipal Development

PRESIDENT FRANK L. McVEY
University of North Dakota

Mr. President, Members of the League, Citizens of Red Wing:

I was a citizen of Minnesota long before I became a citizen of North Dakota. For some twelve or thirteen years I resided in your state, and I have watched its development and growth with joy and pleasure. Minnesota is one of the great states of the Union; its citizens ought to know that better than anybody else, and its municipalities have a chance for development beyond that which will be found in many another state. So that the discussion of a problem like the one before us tonight, namely: What organizations can do for a community, seems to be in point on an occasion of this kind. The organizations which I want to treat briefly are the government of the city, the commercial club, the Women's Civic League, the Boy Scouts, the Board of Education, and then, if there is time, perhaps some others.

Government of Cities

As a starting point I think we may say that government of cities in the United States, and government of states, must come to the viewpoint of the happiness and welfare of the governed rather than that government is a thing to be passed around in order that we may all have a little of it, as a personal matter. In other words, the time has come in the United States when municipal government must be a community affair rather than the affair of the few groups or of a few individuals as it has too often been in the past.

That means, then, a new attitude on the part of the citizens. The government of a town will be no better or no worse than the citizens of that community—a statement that you have often heard. But every now and then some of us say we can have better government in this community if we have the commission form of government; or if we have the commission form of government, we say if we only had the old mayor system back we could have a better government; or if we could combine these two together and have a managerial system we could have a better government. I think it is safe to say that there will be no better government in any community merely on account of the change in the form of government. It must rest fundamentally with the spirit of the citizens themselves. And if you go back over the history of the managerial form of government, for that matter, as has been suggested many times in the last three or four years, you will find that it is nothing more or less than an exaggerated form of the mayor system of government adapted to a new situation.

That is not what I wanted to say, however. It is that government must recognize its responsibility to its citizens; and one of the first places where it must begin to do that is in the field of the financial.

There is hardly a city in the United States that has an adequate budget system. There are a few, but very few indeed. It is true we have systems where the mere comings and goings

of cash, the payments of cash and the receipts of cash are recorded with a nicety that is worth while. But that is not what we want to get out of a budget system. We want to get out of a budget system what it costs to run the government and what the different phases of the government are costing us in comparison with the service which we receive. The manager of a great corporation doesn't care very much about the various movements of the cash in and out of his business. It is what is the cost, what is the overhead, what is the individual cost here and there and elsewhere, that are important to him and which count one way or another for dividends. In increasing the value of the government for the development of the community, here is the place to begin: with an adequate system of finance. And further, this adequate system of finance must be made public, so that every citizen will have an opportunity of viewing, in a satisfactory, clear-cut way, the cost of government in the community; and I may say in passing that the cost of government grows every day, and the only way in which that cost will be tolerated in the long run is by the actual knowledge of what is being done, and when the community recognizes that fact and perceives the fact that it costs so much and that they are getting service back for it, there will be no difficulty about the increased cost of government. It is only when it is concealed in some inadequate form of financial presentation.

Governmental Co-operation

But there are other phases of this governmental fact. There are various problems in the matter of the relationship of the government to the various activities of the city. At the present

time in most of our cities we have a park board, we have a school board, we have a city council, all of them working together—or, rather, not working together, but all of them having separate powers of tax levy, with the result that there is a lack of co-ordination and relationship in the various departments of the government. Again, in this country, dividing the government into federal, state, county, and municipal, as we do, we have in our various cities in the different types of buildings, a lack of relationship which might have been preserved and might have been used for the purpose of securing some very beautiful effects.

If the federal government, the county government, and the city government right here had combined in putting the postoffice and the courthouse and the municipal building on the same square and in the same style of architecture, you would have in Red Wing an example of the very interesting relationship that appears where the municipal center and the governmental center count for something in the community. But under our form of government there has been no way, seemingly, of ever bringing the county or the federal government to realize the fact that they are related in their government to the city, in their building enterprises. Here is an opportunity to get somewhere and to produce a better result.

The Commercial Club

I want to leave that point, because I expect to enlarge upon this financial phase tomorrow, and take up the next thing—the commercial club. I don't know that I can tell you men who are here from different cities in Minnesota anything about the commercial club; but it may be that I can review some

of the things that a commercial club stands for and attempts to do, and perhaps bring them anew to you in a somewhat different form than that to which you have been accustomed.

The commercial club of the city is supposed to be the going force and the going power in the expression of the city's industrial, commercial, and social advance. It is not always that. There ought to be, necessarily, a unity of purpose, and there ought to be clearly in the mind of the organization that it is not merely a social club, but that it is a working organization. It should employ one man as secretary, rather than attempt to run the club on the supposition that it can get little snatches of time from this man and the other man that will make up for the work of one man. It is impossible to bring that about. But in the organization of the commercial club, the creation of the committees that are to do the work has usually been a matter that has been determined on this basis, namely, the success of the men in the community. The men who have made the largest success in the community are oftentimes the men who are selected for the purpose of doing the work, and in many instances those men, having seen the field, having been there a long time, and having been filled with various enterprises of their own, are not in a position to give service that might be secured under a different plan.

I should say that the first thing that a club ought to do in the selection of a committee is to put down a number of qualifications which they think are essential for the development of the committee. And the first thing is energy, abounding energy, in a man who has the sense and the will-power to do the thing. The second, enthusiasm;

the third, judgment; the fourth, knowledge; the fifth, co-operation; and the sixth, success. You will notice that the order in which I have named them differs from that which is usually followed in the selection of committees. Usually we have success, willingness to co-operate, enthusiasm; but the first thing is energy, then enthusiasm, then judgment, then comes knowledge, co-operative spirit, and finally success. I believe, based upon that, that you will get a larger swing or momentum to a club than you will if you go on the supposition that you are going to pick up the most successful men in the community to bring the thing to pass.

Advertising the Community

One of the first things a club is confronted with is the problem of advertising. Advertising is a very seductive thing, a very difficult thing to discuss. As an actual fact, I think we do not know much about advertising, despite the advertising experts and despite the various things that are said about them, for the reason that there has not been made public, generally at any rate, a careful study of the psychology of advertising, and particularly the psychology of the people who use goods and who respond to advertising. In other words, the effective advertising is the effect upon the individual, produced in a psychological manner upon his thinking apparatus and upon his purpose and design. We have not really worked that out, and the result is that thousands and millions of dollars are being used in America in advertising which is more or less unsuccessful. The different forms which it takes are known to all of you. There is the form in which the advertising is done in magazines, the printing of a page or more about a city; there is the

form in the use of pamphlets, the use of great posters placed upon billboards in different communities; there are all sorts of devices, of one kind or another. All of these things are presented from time to time. Yet the question comes immediately, at the very start, what is the purpose of advertising, what are you trying to get at; what is it that you are expecting to do?

When a fish lays its eggs in the spring of the year, for the purpose of perpetuating its species, it goes up a stream that is comparatively shallow, lays the eggs upon the sand, and there takes the chances lest water, wind, and refuse may push or move the eggs, for the chance that finally some of them will be hatched and produced into fry. Millions and millions of those eggs never come to any life whatsoever. In the same way, nature takes seeds from flowers and scatters them in the woods and carries them over the prairies, on the supposition that, here and there, a seed will catch in the ground and will come to life again the following spring. That is much the way we advertise. And anybody who goes into the field of advertising with the mere idea of distributing advertising matter, without the thought of purpose behind it, is simply engaged in a process of spending money and producing little or no results.

What are the purposes of advertising? First, to get more business; second, to get more population; and, third, to bring visitors to your community. What are you trying to do? Are you trying to get more business, are you trying to get more population, or are you trying to get more visitors? You must determine in each one of these instances what is to be done, because

each one of them is different from the other. So that the problem of advertising is an analysis of the point that you have in mind. The mere use of various periodicals in one way, of newspapers in another, produces little or no results unless you have the purposes clearly before you. So far as I can observe, it is possible, by the selection of certain types of magazines which have circulation in the particular field that you wish to reach, to advertise occasionally with good results, as was evidenced, for instance, in the experience of a city like Des Moines. The utilization of high-grade types of literature, beautifully printed, with fine photographs which have been made in color of the general printing, is a start in the right direction. On the other hand, there is nothing that is poorer in the form of advertising than bad printing. It produces no results at all, and always casts a questionable reflection upon the effort.

There is the question of lists—they are being sold everywhere in this country, usually sold in the neighborhood of from two to five to twenty dollars per thousand of names. These lists are collected from all sorts of places, from catalogs of colleges and universities, from the lists of patent medicine companies, sometimes taken from the ballot box and the various record books of political parties, brought together in all sorts of ways; and many communities, commercial clubs, have purchased these lists with the idea of using them in their circulation. A list of that kind may be valuable or it may not be valuable. It depends a great deal upon where it is gotten, how old it is, whether the whole thing is in line with the purpose and policy that you have in mind. For instance, to send manu-

facturing literature to a list of farmers who never expect to engage in manufacturing, is of course the height of folly, and yet I suspect that sort of thing has been done again and again by commercial clubs throughout this land, simply because they did not know where to go for the lists they needed.

Industrial Projects

Advertising is an art; I think perhaps on the whole it is worth while, if a club intends to enter upon it extendedly, to secure the advice of some advertising expert, not a man who is engaged in the thing simply on a propaganda basis, but a man who gives serious advice relative to the fundamental questions involved in the matter of advertising. We are told that in the securing of a manufacturing project you usually get perhaps a hundred inquiries, and out of that hundred inquiries there will be possibly ten that are serious, and out of the ten you may get one that actually comes down to the point of discussing the proposition even in a favorable sort of way. Out of every five propositions, so the people at Waterloo told us not long ago, three failed to make good after they had established their plants. So that here again is a question that has been pretty well worked out—there is no use of any club's or of any organization's trying to get into the community various kinds of concerns unless there is really an economic basis on which they can rest, and the best test of that is the success of a concern that is already there rather than one you may hear about, or what some other concern has done somewhere else. And the success of that kind of an appeal will depend entirely upon the dividends that are earned by a concern that has been established in the community where you

are attempting to bring other concerns. Let me point to an example in my own city: The Commercial Club invited a creamery concern to establish a plant there. It was established some time last April; the building was erected, the city was to provide the ground and take a certain amount of the stock. Well, it worked out amazingly well, so that in July of this year the plant did \$116,000 worth of business—in one month, and they have been delighted with the success of their enterprise. In other words, a creamery, established less than three or four months, is now going at the rate of practically a million dollars' worth of business in a year. What does that mean? That means that they have now a concrete example to show to other concerns of different kinds that there is an economic foundation for the existence of a plant, that they can succeed there. Now they are attempting to bring a packing plant. One of the fundamental things before them is the question of the economic basis of it, have you the hogs—have you the market after they have been killed, and can the capital be furnished in this community for that enterprise? These questions can be answered practically, are being answered in this particular instance in the affirmative.

The city of Williamsport in Pennsylvania did a rather interesting thing in connection with the development of enterprises, by creating through its commercial club what was called a guarantee credit; that is, it said to all the members of the club and those who wished to join in the organization, "We will create a guarantee credit system, and by the utilization of that we can secure the necessary funds from the bank for the support of any kind

of enterprise that comes here and is in need of the necessary moneys and finance for its purposes." And this is the way that it was done: They brought together certain gentlemen; these gentlemen each said, "I will take a thousand dollars"—or five thousand dollars, and so forth—"as my part of the guarantee; so that you may call upon me to the extent of a thousand dollars"—or five thousand dollars, whatever it might be—"for the support of the credit we propose to lend to these people." Now they got together the first time about \$400,000 in the way of credits. And then they went to the bank, when they invited these different concerns to come in, and said to the bank, "We want you to extend credit on a regular commercial basis; there must be no fake basis to it; there must be no favoritism, but on a thorough fundamental business basis—credit to these various enterprises to the extent of a certain amount of money." They said to the bank, "If these people fail to make good the amount which they have borrowed from you, then these guarantors will make it good in proportion to the amount that they have contributed to the whole sum." So that if I had put down the sum of \$5,000 as my part of the credit guarantee and the whole amount was \$400,000, I would be called upon, in case of failure on the part of the concern, to pay its bill, one-eightieth of the amount. In other words, if the concern failed, we will say, for \$15,000, I would be called upon for about \$200 for my part of the guarantee. The second year they raised over \$600,000, and then later about \$800,000, and by the utilization of that plan they have been able to take care of the necessary financial problems that have arisen from time to

time in bringing new enterprises into the field as a result of their advertising schemes. The plan has been followed in other places; it has been somewhat modified in the city of Waterloo, which used a real estate basis for the purpose of getting the necessary resources in the conduct of such an enterprise. But the description of these different things might take an entire evening; perhaps I have hinted sufficiently to indicate just how far such plans can be worked out and how far they can be developed.

Trade Getting

In addition to this problem of advertising there are problems associated with the question of getting trade. Every commercial club is anxious to get trade. It wants to bring people into the community, it wants to bring the farmers to its doors, as much as possible, and it therefore resorts to different methods of bringing people together. It extends invitations to conventions; it attempts to bring up, by the utilization of carnivals, some kind of centralized enterprise that will bring people to its doors. And I think it may be said that in the instance of the carnival as a means of producing groupings of people, the usual conduct of them is one of the fundamental mistakes being made by communities. The ordinary carnival, as it is conducted in this country, as a means of stimulating trade, by bringing people to it, is distinctly, I believe, a mistake. Most of these carnivals are the result of some kind of contractual relationship with a circus company or with some kind of traveling concern. They bring their different booths, their various devices, of one kind or another, where you strike a blow with a hammer upon a peg and send the peg as high up as your strength will permit, and where

they have various devices of throwing rings over knives and canes, and so forth and so on, to take the money away from the very people that you have invited into the community. And there always goes with these carnival companies a questionable group of people whose morals are not to be regarded with any great degree of sanctity, who are there for the purpose of getting out of the community everything



President McVey

they can. The result is a demoralization of the whole community, a breakdown of the behavior of the children as a usual thing, and oftentimes a complete demoralization of the adults of the community, in the matter of gambling in particular. That kind of thing, I believe, is an actual detriment to the community; it gets us nowhere, it produces no results. And I am glad to say that there is a marked tendency in the United States towards a different type

of entertainment, a different type of carnival. For instance, we are seeing here and there in different parts of the country the use of what is called the pageant, and in many small towns the pageant in the form of the history of the town, has been worked out, oftentimes crude, unsatisfactory, but the beginnings of better things, and always on a higher standard, far more interesting than these so-called professional carnivals, and much better for the community as a whole. I saw today photographs of a carnival that was put on by one of the farmers' clubs in this state, where they had utilized it for the purpose of securing a better attendance upon the county fair. Up to that time the county fair had been of no value, there had been little result from it, practically nothing that could be counted as worth while, and by the utilization of this pageant, of this little change of program, and of bringing the club into the fair itself, the result was a complete reversal of the situation and the success of the fair at once. And right there is the keynote of the whole thing—that where a commercial club attempts to do the thing all by its self, the result usually is, perhaps for the first few years, a success, but in the long run the success will depend upon the way in which the community has been brought into the co-operative attitude and by bringing the farmers and the people around about the community into the whole thing. That has been proved again and again, and we might go on speaking of different methods of bringing conventions—some of you are far more familiar with that than I am—and with the use of buttons and noise-makers of all sorts and kinds to bring people into your community. I rather question whether

such devices and methods are really satisfactory. They make a situation and raise a kind of interesting point for a little while, but the result is far from lasting. One of the devices that you see, not so much in this state as in some parts of the country, is the use of the exhibit as a means of attracting attention at railway stations. Often-times we find that the exhibit is placed in a railway station, usually in a house, and sometimes attractively arranged, but in most instances, when cold weather sets in, the potatoes are frozen, the vegetables are all wilted, the rats begin to get into the exhibit place, and the result is that you have a mournful presentation of the resources of the community. A thing like that is worse than no exhibit at all, many times over. I have come to the conclusion that the best way, if you are going to have an exhibit, is not to attempt to build a house at all, but to put your cases against some wall, where they will be properly protected, and where they can be exhibited to the best advantage, and, further than that, can be spread over a larger area than any house that you are likely to build. Several years ago when I was in Germany, I saw many interesting things in the way of showing the work of the municipalities. For instance, when you got off at the railroad station and started into the town, there confronted you, right at once, a great map of the town, and this map showed all of the different buildings, all the principal streets, the different things that were in the community—everything was shown, under glass, with proper light over it. Immediately you got an idea of the size of the town and the way in which it was planned, and the general scheme of organization. And then on

the side, printed in neat letters, were the data about population, the amount of business done, various statistics regarding the different municipal developments of the community, the number of schools, and of children in the schools, the amount of money expended, the valuation, and various other items that were of interest.

These are some of the things that can be done. There are many others. The success of the commercial club depends, I think, on the whole, after all, upon two factors in particular. The purpose of the club as it is manifested in the community through its membership, the way in which they work together, and then the direction, the character of the work that is done by the secretary; the secretary is the coordinating agency by which the work is all brought together. We are now coming into a larger and larger recognition that young men ought to be prepared in the colleges and schools and by actual practice for this important work of community leadership, and I am glad to say that an increasing number are now available for employment in these fields, and it is a wonderfully effective place to work.

Women's Civic League

If we may leave the commercial club, which I have merely touched here and there, we can turn to the organization of the Women's Civic League. No town is complete without it. It is like home without a mother—a city without a women's municipal or civic league is behind the times. The story is told, in one of Marion Crawford's books, of a lamp that had been kept burning in a brotherhood shrine for over five centuries, and the women of a particular household had been in the employment of the church and in the

keeping of this lamp, and they had kept it burning without fail for five hundred years. And that has seemed to me to be typical of the place of the women in a municipality. I know that a good many men think that a woman's civic league is a nuisance, that it gives them an unnecessary amount of trouble in various ways. Just so—because it keeps a certain spirit in a community and in municipal life that seems to be distinctly needed. There are things that a women's civic league will do that a men's commercial club never will do. One of them is ordering your competitor to clean up his alley, for instance. We will say he has it filled with banana boxes and fruit boxes and ashes, and so forth, and you are in the same business that he is, and you are the chairman of the committee on streets and alleys; you do not like to take up the question with him at all, and the chances are you won't take it up with him. But a women's civic league will, in nine cases out of ten, take a problem of that kind and go through with it and bring about a result which oftentimes will not be attained by a commercial club, because the commercial club is dealing with problems of a different type in the main, and the women's civic league acts as a kind of critic of the municipal administration, a kind of visitor into the streets and alleys, in the examination of the housekeeping qualities of the administration that happens to be in power at that time. So I say that every community that is really worth the while, ought to have a women's municipal league.

The women's municipal leagues have done a good many interesting things in this country. They have, for instance, oftentimes been the instigators, or

originators, is the word I want to use rather than instigators—the originators of movements that would not have been taken up by the regular governing body. An example I have in mind is that of the kindergarten. For instance, the kindergartens in Minneapolis were conducted for many years by a private kindergarten association that was maintained by some of the women of the city, and the story that was true there is true in other communities, where they have started the work and have kept it moving along, until it was demonstrated clearly that it was worth the while and that it had a practical basis and could be taken over on that basis by the regular municipal authorities. The same way with the work of medical school-inspection. There again is another instance in which the women's organization in different parts of the country have been responsible for a marked movement forward in the development of medical inspection in the schools, and the result has been that, starting out by the payment of the salary of one nurse, or perhaps securing the voluntary services of a physician, or possibly paying him, they have gradually worked it out in one place, in one school, and then in another, until the whole system has spread over and been taken up by the public. I might cite many other instances of a similar character where women have done interesting things. They are able to meet many of the problems of entertainment also, by taking care of the different conventions that come to a community, in which women are represented.

Further than that there are many moral questions which enter into the life of every community. Here is the problem of the moving-picture show;

here is the question of the saloon ; here is the question of dance halls, and other amusement places, and men are oftentimes pretty apt to regard them as a matter to be taken for granted and simply say, "Well, if the people don't know enough to take care of themselves, it isn't really up to us to look after them." The result is, sooner or later, that a situation develops which may make its appearance in your home and my home and somebody else's home with a consequent deterrent effect everywhere. The women's civic leagues again and again have been an active force in securing a censorship of moving picture shows, and we need it more and more every day, rather than less. Such an organization moves in various other directions in raising the standard of amusement and of public virtues of different kinds.

The commercial clubs are usually busy with different things, in the field of business, in the field of municipal development, in the field of enterprises of one kind or another, in the securing perhaps of better water, and the result is that some of these problems that I speak of are neglected.

Again, there is the question of the intellectual life of the community. I think that is distinctly important. The musical life, the intellectual life, the artistic life of the community. We have begun to appreciate that a little bit, but not to any considerable degree. The very fact that thousands of people are constantly going to such amusements as we have in this country is evidence that there is a great need, a very great need, for a better intellectual and aesthetic life than we possess. When I was in Germany, some four years ago, there was a very great organization, a musical organization, na-

tional in its scope, that was meeting in one of the southern cities of Germany. It was attended by something like ten thousand people. All of them were members of different musical societies. They had been practising one time or another, some of them as long as twenty-five years, upon particular pieces of music, some of the great oratorios that they expected to sing together. When those ten thousand voices were brought together from all the villages and towns of Germany and sang there in that enormous chorus it produced an effect that was wonderful, wonderful indeed. We have no such thing in America. I suppose there may be somewhere, in one of the corners of this town, a little group of people who are singing together, but the chances are they are not. I think we might find a larger interest, a more aesthetic interest in creating a musical atmosphere in the communities in which we live. The women are interested particularly in that field ; it cannot be brought to success without them. And I think, too, we have got to come pretty soon in our municipalities, in our smaller places in particular, to a recognition of the necessity of amusement in life as a factor and as a part of life. Dancing, as an example, is a thing that all young people insist upon doing, and will always insist upon doing, and the time will come when the municipalities must take it over and see that where public dancing exists, it shall be carried on under right auspices. And the same way with other things. At the present time we are practically limited in our towns and villages of the smaller type, and even in the larger ones, so far as the drama is concerned, with simply the presentation of it in the picture shows.

That is the limitation of it. The time must come pretty soon when we shall have municipal theatres, that shall be under the direction of the municipality. Through the utilization of some coach, some person to direct it, the various powers and the various abilities of persons who are living in the community will be used to present plays. I rather think one might go through this audience tonight and pick out a very good cast for one of Shakespeare's plays. There are lots of interesting things we could do in our communities that we do not do at all. We simply drift along in a kind of hum-drum existence, instead of bringing in these aesthetic things that might bring in greater joy. In one of the little towns of North Dakota I came across a chorus of forty voices that had been singing together for three years. The result was that as long as the leadership was there—a woman of rather remarkable personality and quite unusual training—that chorus kept together, and there were forty people who enjoyed themselves hugely through a period of four years, meeting practically once a week or twice in the month, just practising, and then three or four times a year they gave a concert for the community. What were the results? A marked effect upon the whole intellectual and aesthetic life of the community. And it is essential, it seems to me, that the men's organization and the women's organization shall join together in a larger concept of community life and come to a bigger understanding of what it means to live in a community.

Board of Education

Then there is the board of education. Lots of things are being said nowadays about boards of education. They have their troubles, and they are difficult

ones, but we are on the eve of new things in the field of education, a vast change in the point of view of education is now confronting us, and we have come to realize that the biggest thing that a community can do is to educate the young people who are within its borders. The way in which that can be done is not the old fashioned way by force and by rod and coercion, but by a change in the whole point of view of education, namely, that education should be on the basis of the child's intellect and mind, rather than constantly forcing down upon it the ideas of the adult. Now, more than that, education is widening constantly, and the schools are now being called upon for training of young people, so that they can serve a kind of preliminary apprenticeship to the kind of thing they do a little later, commercial courses, manual training courses, trade courses, courses for the preparation of teachers in the grades. All of these things are now coming into the public schools, and it is a question of how far every community shall recognize that fact, and in recognizing it shall meet the situation by making the proper appropriations and providing the necessary funds to meet the problems. In addition to that, we have come to the understanding that education does not cease when you and I leave school. That is a discovery which I give to you without charge—that education does not cease when we leave school, and yet that has been the point of view of practically all of us—that when a boy leaves high school or grade school his education is finished—we say that all the time—and when he leaves college his education is finished. The fact of the matter is it has just begun. Everyone of us has

learned more since we left school than we ever knew during the time we were in school. We have just begun to understand the possibilities of adult education. What we need in every community is an increase of intelligence. How are we going to get it? Through the newspapers? A little bit. Through periodicals? Slightly. But there ought to be in every community a new point of view regarding the school and the development of the school into a center that will constantly radiate various influences towards larger intelligence in that community. There is no reason, for instance, why the school plant should not be used at night, for lectures and extension work of all kinds, why the encouragement of better things for every man, woman and child in the community should not be held forth as a legitimate ideal by the board of education in the community.

I visited Denmark some three or four years ago, and I suppose Denmark can be put down today as the most intelligent nation in Europe. And how has it come about? Well, some seventy-five years ago an old bishop of the Church of Denmark, Grundwig by name, conceived the idea that what Denmark needed was what he called a People's High School; and so he began the establishment of high schools on a missionary basis in different parts of Denmark, and he established seventy-two of them. They were maintained by a subsidy from the state, small in amount, and by the various amounts that were given by the missionary organizations under whose control they were. These schools were provided for people over eighteen years of age. Nobody was allowed in them under that age, and the people who attended them were all the way from eighteen to fifty

years old. They were open in the wintertime for about four or five months for the men, and about the same time in the summer for the women. The subjects that they studied there were the history of Denmark, the literature of Denmark, the songs of Denmark, the story of its great men and its heroes; all those things were studied — not agriculture, not some trade—though those are all valuable—I am trying to bring out the point—but those things that made for larger intelligence and bigger interest and an appreciation of their nation—those were the things that were taught, and the result is to be seen in the raising of a standard of intelligence in Denmark in such an ample degree that I think it can be said, as it has been said by many, that that nation is the most intelligent nation in Europe at the present time. That is an enormous tribute. And how has it been brought about? It has been brought about through the agency of the school. You didn't know—or perhaps don't know it, but you are going to school right now. You are getting your lessons from this municipal league. You may not care for the lessons one way or another, but nevertheless this is a school in a way; but we need more direction, more of centralization, more of purpose than we are getting at the present time in our school system, and I look to see the time come when the school shall be utilized for the purpose of carrying on adult education as well as the education of the younger group.

Other Organizations

Well, there are the various associations and organizations, like the Boy Scouts, that I might refer to, and various other things. I have tried to bring to your attention today the point of

view, the new point of view, the community point of view, in this matter of community development. The community must depend after all upon the spirit that is in it, and that spirit cannot be developed overnight; it is the result of the kind of life that exists in the community. If it is a dull, humdrum life, the boys and girls are constantly flocking to other places; if it is a life that has no interest, people are moving to other towns, and every town that grasps the big idea and brings it out in the development of a better place to live in, is the town that is going to succeed and grow and come to something. You know in this America of ours democracy is on trial, and it is on trial for its life. None of us, I think, have any fear as to the outcome, though there may be some who have, and the place in which that trial is going to be brought to the test is in the town and in the city, because it is there where the application of democracy to the problems of government can be more nearly brought to bear than anywhere else and where the results can be thought out and seen to a larger degree than they can in the bigger community. The municipality stands in this country to the people of this country very much as the prince did to the people of the earlier times in the story of Europe. It was he who gave, for instance, out of his funds various buildings for the utilization of the people; who put beautiful pictures in these buildings; who brought the artists to give the concerts that the people might hear; it was he who did that, in the earlier days, before the times of democracy. Now comes democracy, and in this country there never have been princes, there never have been potentates who

control a people, because of their birth, but we have in the place of those princes a government set up by ourselves, and the question whether it shall take the place of the princes of the earlier days in the encouragement of literature and of art and of amusement and of the better things, remains yet to be seen. Democracy is on trial, first, as to its efficiency, its ability to govern in a satisfactory way; it is on trial in the matter of providing adequate equipment and adequate things for the life and the higher life of the people. It seems to me that the times are full of hope, that there are signs both of better government and certainly signs of an enlargement of the appreciation relative to the education of art and of all the things that lead to better things in life, and I trust that they may be seen in this state of Minnesota where Nature has been so generous, where a people of high intelligence live and rule, and that we may have examples for the world, for the Northwest in particular, of a larger appreciation of the great problems that rest upon municipalities in the betterment of life and in the maintenance of bigger and better things for the young who are in our midst. (Applause.)

Bemidji granted a gas franchise in December.

The Little Falls Water Power company put a new rate schedule into effect in December.

Waubun has granted an electric lighting franchise to L. A. Faucher of that village, at a fifteen cent rate, with twenty-four hour service. The plant is expected to be in running order by April 1.

The Effects of Exemption of Railroads from Special Assessments

Under the present laws and the constitution of Minnesota railroads pay to the state a percentage of their gross earnings, in lieu of all other taxation and assessments. This is held by the courts to exempt them from liability to pay special assessments on account of public improvements in streets upon which their property abuts, except such property as is not used for railroad purposes. And in some cases property not so used is exempted by charter provisions.

It has been one of the objects of the League of Minnesota Municipalities to secure such changes in the law as would relieve municipalities desiring to improve their streets from the hardship thus imposed, or to compensate them for the loss of assessments which the law estops them from levying.

To procure more specific information upon which to urge the passage

of remedial legislation the League sent questionnaires to a large number of municipalities, asking reports of the effects of the exemption. The reports received have been tabulated by the Municipal Reference Bureau and are presented below. Replies have not been received from the three large cities and in certain others information was given only for very recent years.

Paving

Concerning paving, information was sought as to the area laid before exempt property which otherwise would have been assessed, the cost of such paving, how paid for, and how much street area is unpaved on account of the exemption. Sixteen cities reported that paving had been done before exempt property. In four the railroads paid part or all of the amount for which they would have been assessed but for the exemption. Nine cities made up the deficit from the general fund, one

	Square yards paved before exempt property	Cost before exempt property	Deficit paid from general fund	Deficit paid from permanent improvement fund	Contributed by railroad	Street left unpaved on account of exemption
Albert Lea.....	20,954	\$47,156.50	*			
Austin.....	217 $\frac{1}{8}$	468.47	*			2 blks.
Bingham Lake.....	189	187.20	*			
Blue Earth.....						4000 sq. ft.
Eveleth.....	1,041	2,400.00	*			
Fairmont.....	1,658	3,700.00			Yes	
Grand Rapids.....	5,000	10,000.00				
Mankato.....	1,000	2,187.00	*			1 or 2 blks.
Moorhead.....	c2,500	6,250.00		*		
Owatonna.....	1,256	3,112.38			Yes	1000 lin. ft.
Red Wing.....	1,868.99	3,624.74			Yes	
St. Cloud.....	1,200	1,600.00			Yes	5 blk., half
So. St. Paul.....	63	246.46	*			6300 ft.
Stillwater.....	2,500	7,000.00	*			
Two Harbors.....	2,960	1,050.00	*			450 lin. ft.
Virginia.....	700	1,600.00	*			

from the permanent improvement fund, and one states "special assessment," which is hardly clear. Seven report streets left unpaved on account of the exemption. The preceding table shows the nature of the reports.

Watermains

Eight cities appear to have laid watermains before exempt property, part

indicates the number of lineal feet laid in each case. The cost which would have been assessed by the railroad property had it been assessable as other property on the same street, and the fund from which the deficit was made up, the general fund in three cases, waterworks in four. One report states "special assessment."

	Feet of Water Mains	Assessment	General Fund	W. W. F.
Halstad.....	300†	\$300.00	*	.....
Mankato.....	450	450.00	.....	*
Marshall.....	800	266.66	Special	assessment
Olivia.....	750	937.50	.....	*
St. Cloud.....	415	539.50	.....	*
So. St. Paul.....	1,350	1,350.00	*	.....
Stillwater.....	9,000	7,500.00	part assessed	*
West Minneapolis.....	1,336	1,672.50	*	.....

†Across right of way.

Sewers

or all of the cost of which would have been assessed to such property but for the exemption. The table above

Twenty-four municipalities reporting have constructed sewers along

	Feet of sewers laid before exempt property	Cost of same	Paid from general fund	Paid from sewer fund	Railroad	Unsecured
Albert Lea.....	.....	.....	*	.....	.....	.....
Austin.....	1,450	\$1,150.00	*	.....	.....	5 blks.
Barnesville.....	1,000	1,365.00	*	.....	.....	.....
Blue Earth.....	1,000	1,000.00	.....	.....	.....	6-12 blks
Canby.....	2,000	2,000.00	.....	.....	.....	.....
Cannon Falls.....	25	25.00	.....	*	.....	.....
Elbow Lake.....	150	500.00	.....	.....	*	.....
Fairmount.....	1,700	2,575.00	*	.....	.....	.....
Fergus Falls.....	1000 to 1500	1.50 ft	*	.....	.....	500 ft.
Lyle.....	20	2.00	*	.....	.....	.....
Mankato.....	250	300.00	*	.....	.....	.....
Melrose.....	350	177.20	.....	Per*fund	.....	.....
Moorhead.....	2,250	*	.....	Per*fund	.....	.....
Owatonna.....	943	366.35	.....	.....	.....	.....
Park Rapids.....	Across r. of w.	*	*	.....	.....	.....
Red Lake Falls.....	500	800.00	.....	*	.....	.....
Sauk Centre.....	680	*	*	.....	.....	.....
So. St. Paul.....	50	134.00	*	.....	.....	136 ft.
Staples.....	.....	.....	.....	.....	*	.....
Stillwater.....	1,550	221.00	*	.....	Yes†	.....
Thief River Falls.....	1,920	3,480.00	.....	.....	.....	.....
Two Harbors.....	250	200.00	*	.....	.....	.....
Wheaton.....	c. 200	225.00	*	.....	.....	.....
Winona.....	.....	.....	*	.....	.....	.....

†Paid as for 50 foot lot.

exempt property which would have been assessed but for the exemption. In two, the railroad paid a contribution. Fourteen cities made up the deficit from the general fund, two from sewer funds, two from permanent improvement funds, and four report blank or indefinitely. Four municipalities have left parts of streets unsewered on account of the exemption. The preceding table gives the report in detail.

Sidewalks

Thirty-one municipalities appear to have laid sidewalks before exempt property which would have been assessed but for the exemption. In six, the railroad contributed part or all of the cost. In fourteen, more sidewalk

would be constructed but for the exemption. Thirteen cities paid the deficit from the general fund. Seven from street improvement funds, in one case adjoining property owners paid it, and two are disputing the matter, with the railroad apparently. The following table gives particulars as reported. It is to be noted that some report the amount of sidewalk in square feet, some in linear feet.

Street Sprinkling

Two cities added that they have been unable to collect for street sprinkling assessments. The same is known to be true in some others.

Delays Incident to Exemption

Twenty—Austin, Barnesville, Bird Island, Blue Earth, Delano, Fergus

	Amount of sidewalk laid before exempt property	Cost of same	Paid from general fund	Paid from other funds	Railroad	Left without sidewalk on account of exemption
Albert Lea.....	1,050 sq. ft.	\$105.00		*		
Austin.....	32.8	26.40			*	1,800 lin. ft.
Barnesville.....	30	25.00	*			375
Bird Island.....	150	60.00	*		*	150
Blue Earth.....	500	275.00	*	*		2,900
Cannon Falls.....					Before	R. R. r. of w.
Chaska.....	1,700	950.00			*	
Coleraine.....	150	150.00		*		
Crookston.....	200	126.00		*		
Delano.....						400
Eveleth.....	50	75.00		*		
Fairmont.....	250	99.50	*		In court.	
Fergus Falls.....	1,700	600.00	*			1,700
Gibbon.....	400				*	
Grand Rapids.....	1,000	1,200.00	*			
Halstad.....	900 sq. ft.	110.00		In dispute.		
Heron Lake.....	120	75.00			*	
Mankato.....	5,000 sq. ft.	500.00		*		
Melrose.....	250	111.00	*			
Moorhead.....	800	448.00		*		
Morris.....	1,720	800.00	*		*	
New Richland.....						100 ft.
Olivia.....	1,000	100.00	Property	owners adjoining.		
Red Lake Falls.....	150 ft.	100.00	*			500 ft.
St. Cloud.....						5 blks.
So. St. Paul.....	50	22.50	*			7,650 ft.
Thief River Falls.....	200	200.00	*			
Two Harbors.....	250	225.00	*			450 1 ft.
West Minneapolis.....	990 & crb.	664.20	*			

Falls, Gibbon, Halstad, Mankato, Melrose, Morris, New Richland, Owatonna, Park Rapids, Red Lake Falls, Red Wing, St. Cloud, South St. Paul, Thief River Falls, and Two Harbors—report that the improvement of their streets has been delayed on account of this exemption. It is to be noted that some others have reported that improvements would be made if assessments could be levied on railroad property.

Contributions from Railroads

The contributions from railroads as noted are not all due to generosity, or to any one cause. Business reasons doubtless governed in many cases. In some, the railroads paid as a concession to forestall some police action contemplated by the village, such as that of requiring a separation of grades. In some cases the municipali-

ty appears to have been able to make an appeal which won the contribution without threats. In others it is remarked that the exemption is the cause of constant ill feeling between road and municipality.

It is to be noted that in a few cases reported no part of the improvement was paid by special assessment. These have not been included in the tabulations above. In some cases the reason for omitting special assessment was doubtless that the railroad would have been exempt and other property owners would have felt it as an unfairness. In one case a report stated that the railroad had contributed, though this plan was followed. In another, the city paved on railroad property, about a station, and has not got any reimbursement.

The Community Chautauqua

A number of Minnesota towns are planning to launch a new co-operative method of managing their chautauquas in connection with the General Extension Division of the University of Minnesota. Their representatives will meet at the University in Minneapolis about the middle of April to perfect the organization, and start the wheels moving to put on a circuit of chautauquas in the summer of 1918.

The plan is to group a number of towns desiring chautauquas and to engage talent and conduct the chautauquas as a mutual enterprise. Each community would have entire control of the local finances, and would have an equal voice in the management of the affairs of the central association.

The Association would do the detail work of routing the talent, taking care of tents, and all such work. It would maintain its headquarters in connection with the Lecture and Lyceum Department of the General Extension Division of the University. Any Minnesota town interested may affiliate with the proposed association, and if at all possible should have a representative present at the April meeting.

The General Extension Division has information upon the plan, which it is very glad to furnish to any one interested.

The Northern States Power Company has sold its plant at North Redwood to A. C. Burmeister of Redwood Falls.

Minnesota State Tax Conference

By JOHN DWAN, City Attorney
Two Harbors

The idea of holding a Minnesota State Tax Conference was first conceived by Hon. George H. Gardner, State Senator, of Brainerd, who formulated a plan and submitted it for the consideration of the members of the Minnesota Tax Commission and others, and being duly encouraged caused a call to be issued for a conference to be held at the old Capitol Building, St. Paul, Minnesota, on February 27th and 28th, 1917, to which conference the Boards of County Commissioners of the respective counties throughout the State were requested to appoint and send delegates from all of the counties in the state.

As no provision was made or could be made for the reimbursements of delegates for expenses and disbursements incident to the attending of such a conference, it seemed doubtful whether the response would be sufficiently general to insure the success of such a meeting, but on the convening of the conference it was found that forty-seven of the eighty-six counties of the state were represented by delegates present. Some of the counties were represented by from five to ten delegates, and the total number of registered delegates present was one hundred thirty-one. At intervals throughout the session the conference was attended by many non-delegates who evinced a lively interest in the proceedings.

The conference was called to order by Hon. George H. Gardner, of Brainerd, who stated to the conference the motives which impelled him to issue the call for the gathering. He urged

that the work be done in no perfunctory manner, but that each paper and address be followed by active discussion with the view that some solution to some of the vexed taxation problems now confronting the state and its subdivisions be found, and that appropriate recommendations, if possible, be made to the legislature now in session. Mr. Gardner concluded by introducing Erick L. Thornton, secretary to the governor, who appeared, because of the enforced absence of Governor Burnquist, to deliver an address of welcome to the assembled delegates in behalf of the State of Minnesota.

Hon. V. R. Irvin, mayor of the city of St. Paul, then addressed the assemblage and welcomed the delegates in behalf of the city of St. Paul. Mr. W. L. Harris of Minneapolis responded in behalf of the assembled delegates.

The conference then organized by the selection of N. A. Nelson of Stillwater, county auditor of Washington county, as chairman of the meeting, and John Dwan, city attorney of Two Harbors, Lake County, Minnesota, as secretary of the meeting.

A registration of the delegates present disclosed that the gathering was truly representative of the state, coming from all corners and portions thereof, and that the personnel of the delegates indicated that they were drawn from walks of life which brought them in contact by experience and activities, with the subjects to be considered and if possible, determined by the conference.

The meeting being duly organized, a committee to report a plan of perma-

nent organization, and another committee on resolutions were then appointed.

The Taxing System of Minnesota, by Hon. James T. Hale, chairman of the Minnesota Tax Commission, was the first address upon the program, it being an exposition of the taxation practices of Minnesota. He described the various taxes or means of procuring revenue, and showed what part of the state's total revenue comes from each. He outlined the present method of assessment, and how it came to be adopted.

Who Pays the Taxes? Under this title Professor Roy T. Blakey, of the University of Minnesota, discussed the theoretical basis of taxation, and brought out a great deal of discussion.

The Cost of Government, an address by Hon. J. J. Armson of the Tax Commission, presented an analysis of the costs of government twenty-five years ago and now, and an interpretation of the reasons for the great increase of public expenditures, in all branches of government, and both in aggregate and per capita amounts.

Tax Problems from the County Auditor's Viewpoint were discussed by Mr. N. A. Nelson, county auditor of Washington county. He pointed out certain deficiencies in the operation of the present laws, and suggested remedial legislation.

Mr. C. J. Buell of St. Paul addressed the conference in explanation and advocacy of the reduction of taxes upon personal property and the taxation of land, that is, of single tax. A great deal of discussion ensued.

Hon. Thos. E. Lyons of the Wisconsin Tax Commission addressed the conference upon **State Income Taxation**. This was an especially interest-

ing address, in view of the experience of Wisconsin with her present system.

Upon the **selection of assessors** depends in great degree the equitable operation of the general property tax. Hon. Samuel Lord of the Minnesota Tax Commission pointed out the defects of the present system, and urged greater centralization, by one of several possible plans.

Resolutions in favor of changes in the present classification of property for assessment were lost. A resolution favoring the county assessor system was carried thirty-five to three, with ninety delegates not voting or absent.

A permanent organization was effected, N. A. Nelson of Stillwater being elected president; Senator Geo. H. Gardner of Brainerd, John F. Gustafson of Cottonwood County, Clayton Kennedy of Blue Earth County, and E. W. Smith of Ottertail County, vice presidents; John Dwan of Two Harbors, secretary. An executive committee was selected, one member at large and one from each Congressional district.

The initial Minnesota State Tax Conference was important, not so much for definite and complete accomplishments, as for the promise of valuable results to come from the permanent organization and the stimulated scientific study of the taxation problems of the state.

The Elk River Power and Light Company has published a new schedule of rates, and hopes to add a large number of power and cooking customers by the change.

Report of Committee on Sewerage and Sanitation

FREDERIC BASS

Professor of Municipal Engineering, University of Minnesota

The scope of the report of this committee includes the current development of the principal problems of municipal sanitation, namely: water supplies, sewerage systems, garbage disposal, milk supplies, and building sanitation. These are the problems of public hygiene which to a very large extent involve problems in engineering.

Public Water Supplies

The majority of the municipal water supplies of the state of Minnesota are from ground water sources—water that is naturally pure from the sanitary standpoint. The natural supposition on the part of most people in regard to such supplies is that they are comparatively safe. The fact has been demonstrated, however, that a considerable number of disastrous epidemics of typhoid fever have resulted from polluted water from subterranean sources.

In every case these epidemics have resulted from a lack of knowledge of the existing structural conditions. Not only has the public been ignorant of the conditions but the city officials have been ignorant, and there has been an excuse for the ignorance. The excuse has been the division of responsibility between several persons or officials. The waterworks superintendent or operator in the average municipality feels that he has performed his duty if the plant has been kept running in good condition and the people are satisfied with the service. The health officer, who is generally supposed to concern himself with the quality of the water of the city, has

not, except in a very few instances, the means at his disposal for determining the quality of the water and if he has any reason to suspect it, he calls upon the State Board of Health. The State Board of Health responds to his request as soon as it can, but the State Board of Health Division of Sanitation is overworked. In the years 1914 and 1915 this division made 390 field investigations and about 3,000 laboratory examinations, but even this amount of work does not adequately protect the public water supplies of the state. A concentration of local responsibility is demanded and increased state appropriations for the State Board of Health are desirable.

Surface water supplies are seldom of sufficient purity and desirability to use without some form of purification and the general opinion among the better class of waterworks men at the present time is that all surface water supplies should be purified before being used for public purposes.

Great advance was made in water purification in the year 1909 when hypo-chlorite of lime was first used as a means of disinfecting water. It provided a cheap and ready means for preventing the spread of disease through water. This means, however, of purifying water has been largely supplanted in the last few years by the use of liquid chlorine. With the hypo-chlorite it was necessary to buy the powdered material in bulk and mix it at the plant, an extremely disagreeable operation. Furthermore it was difficult to keep the hypo-chlorite plant

in a cleanly condition. The liquid chlorine plant has advantage over it, being simpler, and clean to operate and easily regulated. Chlorine comes in iron cylinders under pressure and all that is necessary for the operator to do is to connect the cylinder to the measuring device which consists of a small cabinet attached to the wall and turn on the chlorine. There is no handling of material, no offensiveness of any kind and the results are practically the same. A number of these plants have been installed in Minnesota. **All such plants need skilled operators.**

Sewerage Systems and Sewage Disposal

There has been a considerable addition to the number of sewer systems and sewage disposal plants in the state within the last few years. The building of sewers has been increased by the enactment of a law empowering city councils to order in districts sewer systems without submitting the question to a vote of the people. While action of this kind on the part of the city councils to order in district sewerment on the part of certain citizens, after the system has been built it has been the experience that the citizens are generally grateful to the council which gave the order. Another incentive to the building of sewerage systems has been the demand of the school building commissioner that school houses receiving state aid should have an adequate system of sewage disposal. In a number of places this has brought the city councils to the realization that by combining the needs of the community and those of the school building, economy may be effected and the result has been

the beginning of a municipal sewer system.

Activated Sludge

A new process of sewage purification has been developed during the last year. The disposal of sewage by the Imhoff tank has involved the principle of the exclusion of air from the sewage, thereby bringing into action a class of bacteria which work best under those conditions. In the new process the plan has been to introduce as much air as possible in the sewage, thereby utilizing the bacteria which need air for their life process. The city of Milwaukee has expended upwards of \$65,000 in experimental work to develop this process, which is known as the activated sludge process. Sewage is allowed to settle in a tank for a period of from twenty to thirty minutes and then to overflow into an aerating tank for a period of from two to four hours. During the process of aeration in the second tank a portion of the sludge or settlings from the first chamber is run into the aerating chamber and mixed with the clarified sewage being treated there. The result of this process is that the solid matter of the sewage forms a flocculent precipitate which attracts to itself the extremely fine articles and solids of the sewage which cause the turbidity, and by a tank treatment alone without any filtration a clear, non-odorous and stable effluent is secured. The sludge, however, is somewhat difficult to dispose of and for this reason it is not advisable at the present time to install such a plant in a small community, since several mechanical processes of some complexity are involved. In a large city like Milwaukee, however, it is possible to press and dry the sludge and sell it for fertilizer. When this process has

been perfected the long sought means of conserving the nitrogen content and the fertilizing value of sewage will have been realized. It is to be hoped that this process may be developed so that it will be available for small communities. It is very desirable to many cities and villages in a prairie country that sewage be disposed of without filtration, because filtration often means expensive and troublesome pumping.

Liquid chlorine has been used to some extent for disinfecting the effluent for sewage disposal plants.

The Operation of Water and Sewage Purification Plants

The most important fact that has been developed in connection with water and sewage purification plants is the absolute necessity for correct operation. It is foolish to invest money in a delicate machine and then expect it to run itself. It is true in Minnesota as elsewhere that we will not get the full benefit of either the water or sewage purification plants until the details of correct operation are mastered, and in this connection it is especially important to remark that the supervision and testing of the effluents of such plants should be performed by the State Board of Health and that the State Board of Health should be provided with sufficient funds for so doing. Many a good plant has been ruined by inefficient operation.

Garbage Disposal

There has been little progress in Minnesota in garbage disposal. There has been a general tendency to utilize all wastes and in the larger cities of the country a number of instances have appeared of the disposal of garbage by reduction processes with a profit. At Pontiac, Michigan, a garbage re-

duction plant with a capacity as small as five tons per day has been reported to show a net revenue of \$3.70 a day.

Milk Supply

One of the problems of municipal sanitation which has not been appreciated in the past is that of a pure milk supply. The solution of a pure milk supply without doubt for most municipalities consists in the purification of the milk which is brought to market, rather than the exclusion of all impurities from the milk at its origin. It is practically impossible to supervise the thousands of dairies which contribute milk to the population of our cities, as the cost is excessive but it is practicable to pasteurize all milk which is used and thus prevent many communicable diseases. A great deal of attention has been given to pure water supplies, yet milk carries many more diseases than water has ever carried and nearly everyone drinks milk or uses it in its raw form. The old idea in pure water supplies that all pollution could be kept out of the sources of water has been abandoned. It is possible only partially to limit the pollution of water and we must depend upon purification processes for safety. It is the same way with the milk supply. It is impossible to keep all of the impurities from getting into the milk and we must fall back upon pasteurization for our protection until many years of education have brought the average milkman up to a proper appreciation of cleanliness.

Discussion

Pres. Nicholsen: The topic is open to discussion, and I am retaining Prof. Bass on the rostrum so that you may prod him with any questions that you have in mind.

Mr. Seberger (St. Cloud): Mr. Bass mentioned two systems of water sterilization, the hypo-chlorite and the liquid chlorine. I think there is one other—the ultra-violet ray system—which has become rather popular, and promises to do even better than either of the two that he has mentioned. I think it is worth while considering this. If Professor Bass has studied the system any, I would be very glad to hear him give an explanation to the delegates here, because if we do wish to put in plants for sterilization of water we want to put in the best, and we want to know all the different methods that are in use.

Professor Bass: It is true that the ultra violet ray has been used for the sterilization of water. I did not mention it because it has not come into general use for public water supplies. It is used in connection with small water supplies, to a considerable extent, where the expense is not very great in the aggregate. But it has not been put on a competitive basis with the liquid chlorine at the present time at all. And another point that might be mentioned is this: that there is considerable trouble, in the operation of plants, with the breaking of the tubes which give off the ultra-violet rays. Then, too, the water must be perfectly clear. The chlorine or the hypo-chlorite, either, may be used with water that is somewhat turbid, whereas the water that is purified by the ultra-violet rays must be perfectly clear, so that the rays may extend through some thickness of the water.

Mr. R. Swinnerton (Hibbing): I would like to ask Prof. Bass a question with reference to surface water. At Hibbing we are about to complete a new water system, which has cost us in the neighborhood of \$500,000. It has been

made necessary by the destruction of our original water system, by mining operations. I understand the wells that are being sunk are not, any of them, deeper than 75 to 100 feet, and when the professor mentioned the possibility of surface waters being polluted, the question arose in my mind whether we could regard water coming from a depth of seventy-five or a hundred feet as being surface water, especially as it is found in gravel. None of the wells is deeper than one hundred feet.

Professor Bass: I would regard that as distinctly an underground water-supply, and not one of those which I would regard as requiring purification. There is very little chance of polluting that supply, except at the very top of the well from which the water is pumped. That is an underground water supply and the polluting of such supplies has usually been right at the top of the well, where polluted surface water got down into the well.

The following Minnesota communities are to have the University Week Program during the period between June 4 and 16:

New Ulm, Minneota, Sleepy Eye, Sacred Heart, Mountain Lake, McIntosh, Thief River Falls, Fertile, Hawley, Halstad, and Twin Valley. Each town is to have a six-day program consisting of the University Glee and Dramatic Clubs, Debaters, Lecturers on various topics of popular interest and many other interesting forms of educational entertainment.

Only twelve towns can be visited each year although the demand is greatly in excess of this number.

The University Week enterprise is under the direction of the General Extension Division of the University.

Report of the Committee on Public Health*

DR. GEORGE F. SWINERTON

International Falls

During the year past your committee has been interested in the progress made in health matters in the state of Minnesota, to the extent of the ability of each member of the committee. As you are aware, we have on that committee Dr. Murphy, who is at the head of the Public Health Association of this state, and by virtue of his official position in that work, and being centrally located, he has been able to give a more exact, a more searching amount of information as regards the progress along these lines during the year than any other member of the committee could give. I hold in my hand a report which I received by mail this morning from Dr. Murphy, and my intention is to render that report largely as the report of the committee.

We have suffered a good deal during the last two or three years from a retrogression, financially, in the appropriation made for the State Board of Health, the official organization of public health in this state. You are well aware that engineers in building and running railroads calculate the cost of running a train, and a very important item reckoned in the cost of running trains is the amount it costs to stop the trains at the various depots along the road. It not only costs money to run a train but it costs a great deal of money to stop a train. Now the State Board of Health of Minnesota during the past two or three years has been in precisely that predicament. Because of insufficient funds that organization has been un-

able to work to its fullest efficiency, and one of the problems before our state and before our legislature is to acquire a more adequate amount of money for the full utilization of such organization as we now have, in the name of the public health in this state, so that the health of our people shall be advantaged to the greatest degree by its full exercise. Dr. Murphy in his report touches upon that feature. There are under way certain considerations to be brought before the legislature this winter, to forward this particular matter.

School Health Administration

It is a matter worthy of note that throughout the year great interest has been aroused particularly in the matter of the preservation of the health of the children in our schools. Not only from the head of the health department of the state, but down through into the various counties of the state there has been an awakening interest in the health and the welfare, physically, of our children. You know the old Latin adage, *mens sana in corpore sano*, a sound mind in a sound body, and unless we have our children in perfect health, unless we do all that we can to prevent disease among them, and to render them as effective, physically, as we can, our education amounts to nothing. It is of no good to educate a lot of children who by and by, just at the time of life that they should become useful citizens, are to be marched off to some cemetery; and I am glad to

*Presented to the Fourth Annual Convention of the League of Minnesota Municipalities, October 19, 1916.

say to you that, from Superintendent Schulz, the head of the educational department of this state, down through to the little rural schools, there has been an awakening interest and an enthusiasm in the supervision of the health of the children of our schools.

Public Health in Rural Communities

Another important phase of that work is the growing need of medical supervision of health in the rural communities. Throughout the length and breadth of the United States our cities have become largely interested in and are doing a grand work among the children of the schools along these lines. Until recently the vast population of children throughout the rural districts had been almost entirely neglected. A year ago Dr. Murphy called your attention to the work along these lines. In Koochiching County we have a system that is under my own personal care and control. In that county we have schools buried in the heart of the forest, forty miles away from any place where there is a doctor. In such localities the only person we have to depend on for this work is the teacher, and we have striven so to educate and train our teachers in practical knowledge along medical lines that they can supervise the health of the children, make reports of all conditions that arise, and help to educate the parents to take better care of their children, and to secure such medical correction and medical treatment as they need. This is a great work, and in the paper I shall read from Dr. Murphy you will find that he has added to and elaborated that idea in the matter of the employment of nurses.

More Interest Needed

I may be permitted to say, further, that in this matter of health our mu-

nicipalities need to take a deeper interest; our municipalities need to have a finer appreciation of the value of the health officer of the municipality. There is abundant law upon the statute books of Minnesota to give us ample service along these lines. The health laws of the state of Minnesota provide that every city and township must, and every village may, organize a board of health and appoint a doctor as its health officer. Now that law has been on the books for a great number of years, but how many of our communities in Minnesota are living up to the full possibilities of that provision—not to say anything of townships, but of our towns and cities, how many have a live health officer, adequately remunerated for his services, who is the center and source of all health movements in the civic community? There are but few in Minnesota who have got a real live and active health officer doing the work that should be done. One of the reasons for this condition is this, that the municipality itself does not estimate the work at its true value. To give you a concrete illustration, eight years ago, in the city of International Falls—at that time it was just a village—there had never been a cent spent for public health purposes, in the appointing of a health officer. Throughout the whole county the same condition existed. At that time I was appointed the health officer for the city. It seemed to some more or less of a joke, judging by the munificence of the salary to be paid—ten dollars a month. Nevertheless, I proceeded to render therefor and in service full measure pressed down and running over, so they got their ten dollars' worth. From that time to this we have persistently

tried to educate not only the city but to educate the entire county as to the value and need of this public health work, of medical health supervision; so that today, throughout our county, in one way or another, in the different salaries that are being paid for medical service, our city and county together are spending over \$1,800 a year, which, in a county of that character, is to be considered a very creditable sum.

Now let us look at the returns which the city of International Falls alone has had from that investment. Up to four years ago that city was subject to most fearful and disastrous epidemics of typhoid fever. There was a period there for three or four falls when, in the course of about two months, we would have fifty cases of typhoid fever, with a mortality of eight or ten in the fifty. Now you might sit down quietly some evening and estimate what the concrete financial loss to a community was in disease among fifty people and a loss of eight or ten people by death. Now as an actual result of our personal work as health officers of that city, in conjunction with the State Board of Health, we have shut off those epidemics. About four years ago, during the last epidemic, we had in conference the authorities of our State Board of Health, and as a result a suitable treatment was provided for the city water, which was proved to be the source of the trouble, and we have since had absolutely no loss of life and but very few cases of that fearful disease and those few have been more of a sporadic character, from outside sources. Now there can be no question as to the vital importance of this work to the community, and this in itself is a concrete, though probably

only a limited, illustration of what I mean by saying that our municipalities need more and more to appreciate that the money spent in public health is of more importance to the community than the money spent for public buildings, for new streets or new lighting systems, or new waterworks, or for any other municipal improvement. The money that is spent for public health is the thing that is saving us to enjoy these other municipal improvements.

Now, as regards our townships: Minnesota, I believe, is very dead in the matter of the use and work of the health department in these towns. In our county I have been trying to get all the townships to organize boards of health and to appoint a doctor, according to the law, as health officer. Last winter I wrote forty-five of them three letters each, and in response got a few desultory replies, and perhaps about eight or nine began to move in the direction of doing something. One board of Norwegians, away back in the heart of the woods, wrote as follows in reply to my last letter: "The town board doesn't wish to bite on the hook that the doctor of the town's peoples puts out for them to bite on. If there shall be any sickness they will take care of it." Now that is all the information I could get out of that town board as to their disposition to do what the law provided. Now those men really believe they are still living in Norway or Sweden. They have an idea that the law of Minnesota is something that has nothing whatever to do with anything that regards health, or with anything except culverts and roads and ditches and bridges and things of that sort, and they think that we were trying to "hook" them on the

health proposition in regard to this particular detail of the health laws of the state of Minnesota.

So there is a great deal of work before us in this state along health lines, along the lines of the already existing laws of the state. The paper that Dr. Murphy has sent deals with a subject of vital importance, and fits

in with this already provided law for municipalities throughout the state. It is to be hoped that every one of you here this morning will endeavor, when you return to your city or town, to see that more is done in the future than in the past to make use of the statutory provisions regarding public health than has been done in the past.

PRINTED MATTER

Books reviewed in this column may be procured through MINNESOTA MUNICIPALITIES at prices listed. Pamphlet material may often be procured free upon request. All material mentioned in this column is on file in the office of the Municipal Reference Bureau, and will be lent when necessary, without charge.

THE WHAT AND WHY OF UNIVERSITY EXTENSION

When a university sets about to extend its campus to the boundaries of the state it must offer a curriculum designed to serve immediate educational and informational needs of the citizens who avail themselves of it. The range of such a curriculum is from evening classes in art appreciation to short courses in business, from Greek mythology to alternating current electricity, from helping debating clubs secure information and material to conducting correspondence courses in a hundred subjects, from furnishing a scientific lecturer to supplying a Lyceum course, from telling a municipality how deep to lay its water mains to helping it redraft its charter, from supplying lantern slides to lending plays to amateur actors. How all these things are done in Minnesota, and what besides is done or is contemplated by the General Extension Division of the University of Minnesota is told in an illustrated booklet issued by the Division, under the title "University Extension, What and Why." The bulletin

is published for free distribution and may be secured by addressing a request to the General Extension Division of the University of Minnesota, Minneapolis.

PRINCIPLES AND METHODS OF MUNICIPAL ADMINISTRATION

By Wm. B. Munro, professor of Municipal Government in Harvard University. MACMILLAN, New York, 1916. Ten chapters, 491 pages. \$2.25.

Professor Munro devoted his earlier books to the organization of municipal governments in America and in Europe. They are of such a character as to assure the value of a corresponding book upon administration. Munro's books are written without the contentious purpose of furthering any particular municipal creed, but they are by no means purposeless. They are written to inform, and to inform accurately and thoroughly. Thus this latest book opens with a chapter discussing the quest for efficiency, that high state of well being which every one covets nowadays. The subsequent chapters are designed to aid whoever would join the quest, by recounting with painstaking and with utmost clearness the elements which affect municipal efficiency, what they are and how they

work. As nearly as the subject matter will permit the same plan of treatment is followed in every chapter. Professor Munro defines the subject enough to give a working basis. City planning, streets, water supply, waste disposal and sewerage, public lighting, police administration, fire prevention and fire protection, school administration, and municipal finance are the chapter headings. Then he outlines the history of each, and describes the work to be done in each service. His next division is a description of the practice or practices of cities doing the work, showing with what equipment and methods and results they work.

Professor Munro's book is one which can be studied with profit by municipal officials, as well as by students. It would have a wider value, if it did not pass by a great many of the problems of the smaller municipalities, which do not have the same shape in cities of thirty thousand and up.

Street Traffic Regulation, by Wm. Phelps Eno, a pamphlet of forty pages, is an advance print of a part of a book which is to appear later. Mr. Eno has been the leading authority on the subject of which he writes ever since the problem of traffic regulation became so acute as to make regulation imperative. He furnished the plan and regulations with which New York began

in 1903. He has seen his plan and at least the substance of his regulations adopted in nearly every large city of the world, and has himself installed the system in Paris and London. The matter in the book is not limited to large cities in its usefulness, however. The principles and regulations discussed are the same as govern traffic movement everywhere, and may be applied in any village or city.

The pamphlet is issued under the auspices of the National Safety Council, Chicago, and may be procured at the very nominal charge of ten cents.

The Federal Road Aid Grant

The total federal appropriation in aid of good road activities for the year ending June 30, 1918, is \$10,000,000, of which \$9,700,000 is available for apportionment among the states, one-third in ratio of area, one-third in ratio of population, and one-third in ratio of mileage of rural delivery routes and star routes. The amount assigned to Minnesota by the U. S. Dept. agriculture is \$284,788.12. Ten states—California, Illinois, Iowa, Kansas, Michigan, Missouri, New York, Ohio, Pennsylvania, and Texas—receive greater sums each than does Minnesota. Participation in the benefits of the federal aid act is contingent upon matching federal expenditures upon approved projects with state and local funds to an equal amount.

Is Your Municipality A Member of the League?

The Secretary has some literature and information which should interest it in becoming one. It will be sent upon application. Address the League of Minnesota Municipalities, University of Minnesota, Minneapolis.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota
E. L. BENNETT, Secretary

A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

SUPPLYING WATER TO RAILROADS

Question: Our city is negotiating with the railroad about supplying water for its engines from the municipal waterworks. Can you give us any information as to the rates at which other Minnesota municipalities serve the roads with water, and how much they use?

Answer: Information has been secured from the railroads and from the plants mentioned in the reports herewith presented. Certain reports received, which showed particulars regarding water supplied for ordinary station purposes only, are omitted. The Great Northern declined to furnish any information, and it may be supplied with water at places not mentioned.

Where meter rates are charged the roads pay according to the regular schedules, which can be found in full in Gesell's Minnesota Public Utility Rates, published by the University in 1914. (Furnished upon request, for postage—Editor.) The limits of the schedule are indicated in each case. Flat rates to railroads are reported in some places where meter service is in force for part or all other customers. Meter rates, pumpage, and sales to railroads are reported in gallons by some, in cubic feet by others. A rough comparison can readily be made by allowing seven and one-half gallons per cubic foot.

The items indicated in each report by numbers are as follows: (1) Total ordinary monthly pumpage of plant; (2) ordinary monthly consumption of road or roads; (3) approximate monthly gross receipts from water sold by plant; and (4) rate to railroads.

Brainerd, Municipal plant. N. P. Ry.

- (1) 58,000,000 gals.
- (2) Not known
- (3) \$2,000
- (4) \$485 per month, flat

Brainerd, private plant. N. P. Ry.

- (1) 900,000 gals. (?)
- (2) 450,000 gals. (?)
- (3) \$300
- (4) \$83.33

Crookston, private plant. N. P. Ry.

- (1) Not reported
- (2) 200,000 gals.
- (3) Not reported
- (4) 40c to 8c per M. gals, metered.

Detroit, Municipal plant. N. P. Ry.

- (1) 900,000 gals. (?)
- (2) Not known
- (3) \$411.40 average monthly, 1915
- (4) \$100 per month, flat

Duluth, Municipal plant. C. St. P. M.

- & O.; D. & I. R.; D. M. & N.;
N. P.; Soo Line; Can. Pac.
- (1) 7,000,000 cu. ft. (?)
 - (2) 1,555,800 cu. ft.
 - (3) \$27,000
 - (4) 15c to 8c per 100 cu. ft., metered

**East Grand Forks, Municipal plant.
N. P. Ry.**

- (1) 1,702,000 gals.

- (2) 23,000 to 45,000 gals.—used in emergencies when railroad plant is out of commission.
- (3) \$600, not including hydrant rentals of \$190 per month
- (4) 50c to 35c per M. gals., metered
- Elmore**, Municipal plant. C. St. P. M. & O. Ry.
- (1) Not reported
- (2) Not reported
- (3) About \$50
- (4) \$4.16 (\$50 per year)
- Ely**, Municipal plant. D. & I. R. Ry.
- (1) 12,000,000 gals.
- (2) 166,000 gals.
- (3) \$750
- (4) 27c to 5c per 100 cu. ft.
- Fergus Falls**, Municipal plant. N. P.
- (1) 1,000,000 gals.
- (2) 145,000 gals.
- (3) \$5,000
- (4) 10c per M. gals.
- Hinckley**, private plant. N. P.
- (1) 175 to 200 M. cu. ft.
- (2) Entire pumpage of plant
- (3) \$85.00
- (4) \$85.00
- Little Falls**, private plant. N. P.
- (1) 30,000,000 gals.
- (2) 4,110,000 gals.
- (3) About \$1,100
- (4) 4c per M. gals.
- Luverne**, Municipal plant. C. R. I. & P. Ry.
- (1) Not recorded
- (2) 92,000 to 166,000 gals.
- (3) About \$400
- (4) 10c per M. gals.
- McKinley**, Municipal plant. D. & I. R. Ry.
- (1) 1,310,250 gals.
- (2) 950,250 gals.
- (3) \$110
- (4) 10c to 7c per M. gals.
- Mankato**, Municipal plant. C. St. P. M. & O.; C. M. St. P.; C. & N. W.
- (1) 23,000,000 gals.
- (2) 31,600 cu. ft.
- (3) \$1,550
- (4) 90c to 45c per M. cu. ft.
- Moorhead**, Municipal plant. N. P.
- (1) 7,000,000 gals.
- (2) 20,000 to 50,000 cu. ft.
- (3) \$1,000 to \$1,200
- (4) 30c to 5c per 100 cu. ft.
- Morris**, Municipal plant. G. N. Ry.
- (1) 6,000,000 gals.
- (2) 2,600,000 gals. (average)
- (3) \$750
- (4) 7c per M. gals.
- Minneapolis**, Municipal plant. Several roads
- (1) 750,000,000 gals.
- (2) Not known
- (3) \$500,000
- (4) 8c per M. gals. to railroads
- Owatonna**, Municipal plant. C. R. I. & P. Ry.
- (1) 4,000,000 gals.
- (2) About 155,000 gals.
- (3) \$1,200
- (4) 30c to 8c per M. gals.
- Rush City**, and **Pine City**, private plant. N. P.
- (1) 2,736,900 gals.
- (2) Not reported
- (3) Not reported
- (4) \$75 per month for both places
- Perham**, Municipal plant. N. P.
- (1) Not known
- (2) Not known
- (3) \$40
- (4) \$40
- A village official writes: "The village of Perham has a contract with the N. P. Ry. Co. to supply water for use in their engines for a flat rate of \$40 per month in case the amount used does not exceed an average of 40,000

gallons per day; in the event that they use in excess of this amount they are to pay for the excess at the rate of 3½ cents per thousand gallons.

"As this water is not supplied through a meter I am unable to say as to the amount used per month, but it has been assumed that it is not in excess of 40,000 gallons per day.

"This constitutes all the water sold by the plant at present."

St. Paul, Municipal plant. G. N.

(1) and (3) Not reported

(2) 2,000,000 (variable)

(4) 6c per 100 cu. ft.

St. Cloud, Municipal plant. N. P. Ry.

(1) 20,000,000 gals. (?)

(2) Unknown

(3) \$1,000

(4) \$50 flat

Sauk Center, Municipal plant. G. N.

(1) and (3) Not reported

(2) 460,000

(4) G. N., 8c per M gals.

Stillwater, Municipal plant. C. St. P.

(1), (2), (3) Not reported

(4) \$15 almost, for standpipe

Two Harbors, Municipal plant. D. I. R. Ry.

(1) 3,710,000 gals.

(2) 1,000,000 gals. and up.

(3) \$1,508

(4) 30c to 3¼c per M. gals.

Wadena, Municipal plant. N. P.

(1) and (3) No record

(3) No record

(4) \$40 flat

Worthington, Municipal plant. C. St. P. M. & O.; C. R. I. & P. Ry.

(1) 2,250,000 gals.

(2) 250,000 to 325,000 gals.

(3) Not reported

(4) 4½ to 3c per M. gals.

The Owatonna Telephone Case

The Telephone Act of 1915 gave telephone companies a privilege which many of them wanted, and imposed upon them an obligation which the public had desired for a number of years. The privilege was that of surrendering local charters, without consulting local authorities, and of coming under the provisions of this act and under the supervision of the Railroad and Warehouse Commission. Most of the companies have availed themselves of this privilege. The obligation which the act imposed was that of making physical connections between the toll lines of one company and the exchange or toll lines of other companies at the same point, whenever required by the public convenience, and whenever such

connection would not work irreparable injury. The first case under this section of the act was decided by the Commission, and an order issued February 5, 1917, nineteen months after the law took effect.

The case arose in Owatonna, which city demanded a physical connection between the Northwestern exchange and toll lines, and the Tri-State toll lines in the city. The Tri-State company has a number of toll stations, but no exchange in Owatonna, so that messages from its exchanges in other cities can now be delivered to parties in Owatonna with much less difficulty, than before. The Tri-State did not object to the connection, and desired it to be made without any differential

charge in addition to the regular toll charge.

The Northwestern opposed the connection, on both the grounds that it was not necessary for the public convenience, and that it would result in irreparable injury to the Northwestern system at Owatonna, by taking its property for the use of a competitor. In support of its first objection it presented elaborate statistical arguments to the effect that it had been able to serve efficiently practically the entire demand for toll service to and from Owatonna in the year 1915. In support of the latter it pointed out that many of the toll messages passing through the Owatonna exchange originated or terminated places where both Northwestern and Tri-State exchanges exist, so that physical connection would give the Tri-State, a competitor, the use of Northwestern property in competition against the Northwestern. This, the Northwestern contended, would constitute an irreparable injury, unless offset by a differential charge of at least twenty-five cents per message by such connection. The Tri-State objected to any differential.

The Commission has decided that the public convenience does require the connections, that it will not work an irreparable injury to the Northwestern, and that a differential charge of ten cents per message to or from a Northwestern telephone at Owatonna, over our Tri-State lines, should be paid to the Northwestern. This charge is not to be absorbed by the Tri-State into its toll charge, however, but is to be added to the charge made to the customer.

This means that a message going over Tri-State lines to or from Owatonna, and through the North-

western exchange at Owatonna, will cost ten cents more than the Tri-State toll charge. If it is between Owatonna and another city where both Northwestern and Tri-State have exchanges, unless the Tri-State rate is ten cents lower, the Northwestern will be protected by this advantage against diversion of its toll business to Tri-State lines. It is to be noted too, that with equal toll rates, a message from such a point to Owatonna will cost one who has a Tri-State phone, but no Northwestern, ten cents more than it will his neighbor or competitor who has Northwestern service.

Reorganization of State Board of Health Contemplated

The Public Health Commission was appointed by Governor J. A. A. Burnquist in 1915, to study the administration of public health in Minnesota. In its report it recommended legislation reducing the number of members of the State Board of Health from nine to five, modifying the qualifications for appointment so as to permit a more representative constitution of the Board, changing the method of selecting the executive officer, an increase of salary for that position, to attract and hold the best qualified men, and the creation of a Division of Tuberculosis in the State Board of Health, to take over the functions of the Advisory Commission, which should then be abolished. The Governor incorporated this report into his message to the legislature, and bills designed to carry it into effect have been introduced into both houses.

Marshall is considering a street paving program.

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Inquiries related to any of the services will be cheerfully answered.

RICHARD R. PRICE, Director



TIME AND MONEY

John Smith would not willingly lose his spare change of dimes and quarters. He puts them together and soon has dollars.

John is not so careful of his spare change of minutes and quarter hours. He lets them go, and there is nothing in the world to show where they go.

John knows his savings bank will hold his spare money for him. He thinks he hasn't any such place to put his spare time. But he has, if he would. It's his head.

John admits that he might know, and would like to know a great deal more than he does. But he has thought it impossible to get this knowledge, since he couldn't afford to go away to college.

John has forgotten that college can always come to him. The U. S. mail will bring him assignments and lessons prepared by University instructors, and will carry back his recitations, to be criticised and corrected as carefully and as helpfully as though he were a student in residence.

If John were to enroll for a correspondence course, he would be accumulating a savings account of spare time which would pay dividends from the beginning.

Write to the



for the new Correspondence study
bulletin.

The League of Minnesota Municipalities

Organized August 21, 1913

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Minneapolis

FIFTH ANNUAL CONVENTION,

ST. CLOUD

October 17-18, 1917

The League of Minnesota Municipalities is a co-operative association of the cities and villages of the North Star State, all contributing to the common stock of practical knowledge and experiences which is accumulating for the use of cities and villages in solving their actual problems of municipal administration. The purposes of the League are not narrow and self seeking; its efforts are directed toward the service of the municipalities of Minnesota by extending the achievements of each to all the rest, and by working all together to accomplish the things that can best be done by co-operation. The purpose of a municipality in joining the League is not to secure any particular advantage for itself alone, but rather to take its place and do its part in working for the advancement of good and efficient government for all cities and villages.

Fees and Dues.

Less than 500 population....	\$5.00	5,000 to 10,000.....	20.00
500 to 3,000.....	10.00	10,000 to 20,000.....	25.00
3,000 to 5,000.....	15.00	20,000 to 50,000.....	35.00
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The League Needs Your Support and You Need Its Services

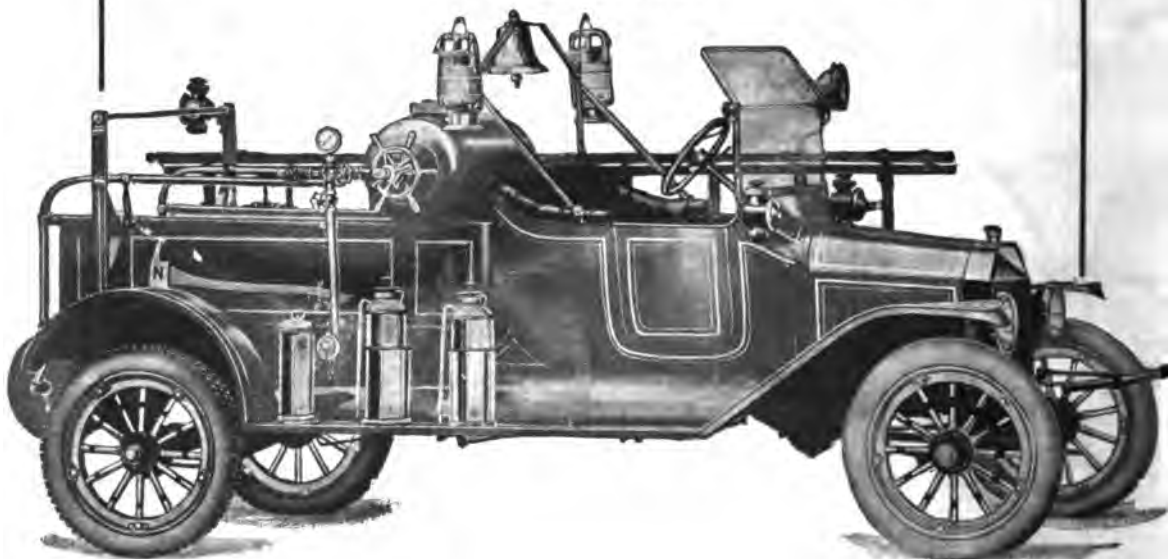
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MINNESOTA MUNICIPALITIES

Devoted to Municipal Progress in Minnesota

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CONTENTS

Editorials—

What Cities May Do.....	69
Keep the Death Rate Down.....	71
Remember the Convention.....	71
Municipal Borrowing.....	72
Some Practical Aspects of Municipal Borrowing.....	86
Information Department—	
Regulating Stables.....	95
War Time Improvements.....	97
Gardens	97
Printed Matter—	
The New City Government.....	99

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Co-operation Means Working Together

It is through co-operation that the best things are done. A village or a city working alone cannot accomplish what it can if it joins efforts with others who are interested in the same work.

The municipality which wishes to keep in touch with its neighbors should hold a membership in the League of Minnesota Municipalities.

The League holds a convention each October at which the problems of the municipalities of Minnesota are thoroughly discussed both by scientific experts and by municipal officials who are dealing with those problems at home.

The League publishes the proceedings of its conventions, together with a great deal of other municipal information, in the bi-monthly issues of MINNESOTA MUNICIPALITIES, which is sent to the councilmen and officials of member municipalities.

Besides receiving subscriptions to MINNESOTA MUNICIPALITIES for municipal officials, each member of the League is entitled to use the classified advertising columns of MINNESOTA MUNICIPALITIES without charge.

The League is affiliated with the Municipal Reference Bureau of the University of Minnesota, which makes investigations and answers inquiries upon all phases of municipal government and administration. The service is free.

The cost of membership is very low (see schedule of fees on inside back cover page). The benefits derived from the League conventions and publications are worth many times the cost.

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What Cities May Do

This is a time of testing of democratic government, the like of which has not happened thrice before in our history. The entrance of our country into the war has thrown upon the federal government the tremendous burden of raising, equipping, and training greater forces than have been under arms since the Civil war. The financial program of the first year, a program regarded as a preliminary to our active participation in this mighty adventure, involves the expenditure for war purposes alone of more than the total cost of the Civil War to the United States government. To a less degree state governments are confronted with like problems: Minnesota has doubled her tax rate for state purposes, largely "on account of the war."

The city official does not have the charge of operations in the prosecution of the war. He does not thereby escape the war's problems. It reacts upon him and his work in a hundred ways. Some new problems it begets to vex him, and almost every old one it renders more pressing. The municipal official must prove himself as never before. The ways of that proving may often be obscure, there will rarely be marked recognition of success. Conspicuousness will more often be the consequence of failure.

The municipal official who has thought the situation through is willing to accept it and give the best that is in him. He will upon occasions render every aid in the prosecution of war plans. He will not pretend to any voice in the direction of those plans, but he will exemplify in all his acts the genuine patriotism of his community. He will carry his load for democracy by maintaining the character and performance of his municipal government.

He will have enough to do at that. The task of maintaining order will increase in perplexity, as the excitement of war times tends to unsettle all classes. Those with a predilection for mischief will be stimulated to gratify it. It is perhaps the saddest of all the war's evils that delinquency among children and youth is aggravated. To some degree this is due to the war spirit and may be inevitable, but it can be minimized. It is due in larger part to the relaxation of attention from elders absent or absorbed in the war, when of all times it is most dangerous to leave children to devices of their own finding. Repressive measures result in injury to juvenile offenders and are not even efficacious for preventing disturbances. The need for parks and

playgrounds, and for leaders who shall save the children from idleness and mischief, was never so imperative as at this time. Garden work and other employment will occupy much time, but work is not sufficient in itself. England has found it necessary to restore the recreational activities which she hastily abandoned in the beginning of the war. Hand in hand with recreational work must go the maintenance of the schools. The ruined cities may be rebuilt, and wasted wealth may be restored by labor after the war. But to deny or destroy or limit the child's opportunity to secure his schooling would be to work irreparable injury both to him and to the future welfare of the country.

A task which the city official may share with other community agencies is that of wisely providing for the dependents of men gone to the front. They will be left, in greater numbers or less, in every community. It will not be charity, but no less than a first civic duty to see that they do not unduly suffer, that the family which has contributed a soldier shall not be dispersed, that no child whose father is fighting shall thereby be kept out of school or over-worked.

Public health work can in no way be slackened without grave injury. A slump in this activity would be inexcusable. Merely to hold ground already gained would be little enough.

Throughout the war its victims will be coming back crippled in various degrees, and often incapacitated for the employment which occupied them before. Much can be done to rehabilitate them as active producing members of society, by enabling them to learn new ways of earning a living, and by finding employment for them in the work which they can do.

Our city official will study to distinguish which activities of his municipal government must be kept up or increased, and which can wisely be retrenched and deferred. He will recognize that on the one hand a policy of short-sighted "economy" in matters of public health and education would be a wanton waste, and that on the other hand a program of constructing great public works which can wait and which withdraw materials and labor from the war industries is equally so. He will foresee that when the war closes materials will be procurable at prices below the present abnormal levels, and that labor will be in need of employment. By postponing projects not immediately vital, and by preparing to take them up during the critical period of unemployment and industrial readjustment at the close of the war he will be serving both his own city and his whole country.

As he is confronted with a difficult task, so he needs to reason coolly and to act surely. He has to choose those things to do which will conserve the strength of America and contribute to the victory of democracy; he has to choose those things to avoid or postpone which would distract or hamper the prosecution of the wider purpose. He will surely do much thinking as he carries on his work through these severe conditions, and he will attain a more profound conception of the part which his office bears to his city, and of that which his city bears to his state and to his country, and to the democracy of the world.

Keep The Death Rate Down

We are told that the death rate of Europe has decreased during the war, notwithstanding the death on the battlefields of tens of thousands of men who in peace conditions would have lived years longer. If this is true, it is to be explained only by the saving at home of other tens of thousands of lives, of people who would have died in peace conditions such as obtained before the war. This saving has been achieved almost entirely by increasing the scope and the efficacy of public health and accident prevention work.

We have grown accustomed to reading large numbers in reports of preventable ill health, accidents, and deaths. Upon occasions a startling epidemic or disaster has horrified us into taking large and effective measures in the case of this or that particular disease or industry. We have been pleased at the improvement usually noted over past conditions, and have overlooked the inexcusable slowness of the advance. We have winced when we learned the number of lives and the amount of ill health and disability which a less miserly support of prevention services would have saved. We have found a multitude of excuses, in this or that obstacle, in the indifference of the people, in the hostility of taxpayers, in the more immediate news power of activities resulting in material improvements or political preferment.

It is useless to reproach or to lament that in times of peace such petty hindrances were permitted to hold back the work of conserving human life and energy. Now the war is here, and the paramount importance of that work cannot be denied. England has shown what can be done. America must sweep small obstacles aside, and do at least as much, or more. Let no one imagine that it cannot be done. It will require a program and a knowledge of methods; we have them abundantly at hand. It will require unstinted financial support; funds can be provided. It will require the resolution of officials and citizens to do all things needful when and as they should be done.

Doing this, we shall not count it as a glory of war, for it has been at our hands to do during many years of peace. The war changes our responsibility only by throwing it into sharper relief. There can no longer be any palliation of ineffectual support of the struggle against disease and death. The questions of life or death and of sickness or health are to be decided for thousands of infants, and for other thousands of adults, solely by the public efforts to make life and health possible in the conditions among which those thousands have to live. We cannot afford to be recreant now. The price of complacency and neglect is too great, and too gruesome.

Remember The Convention

City officials should arrange their calendars to include attendance at the Fifth Annual Convention of the League, October 17 and 18, 1917. As the first convention after the United States' entry into the war it will have an

added importance and value. The attendance of previous years should be at least doubled. Five hundred delegates will be none too many.

About the same amount of work will be laid out as in previous years, and will be thoroughly performed. When completed the program will be published by the League, most probably in a uniform style with the eight page folders of the last two years. It will not be elaborate, and it will carry no advertising.

Municipal Borrowing*

By Joseph J. Ermatinger

New York City spends annually more money than the National Government, if we omit the cost of the post office and the military establishments. Its budget calls for about \$200,000,000 for operation, and about \$85,000,000 for local improvements. On January 1, 1916, its total debt was \$1,378,625,000. Annually it averages about \$60,000,000 for new bonds, and its debt service burden also approximates this figure. New York has about reached the constitutional debt limit of ten per cent, even after due deductions for bonds issued for public enterprises. And New York's financial problems, in a less degree, are the problems of nearly every other American city. Our municipal finances have been and still are in a more or less chaotic state.

In 1890, the combined net debt of the Federal Government, all the states and all their civic divisions was \$1,989,000,000; in 1902, \$2,839,000,000; and in 1913, \$4,850,000,000. During this period, the Federal debt decreased from \$136.30 per capita to \$10.59; twenty cents is all the increase shown in the state per capita, it being now \$3.57. It is in the municipal debt, that we find the tremendous growth; in 1890, it was \$14.79 and in 1913, \$35.81, an increase of one hundred forty-three

per cent. In 1890 the total net municipal debt was \$925,000,000; in 1902, \$1,630,000,000, an increase of seventy-six per cent; and in 1913 \$3,476,000,000, an increase of one hundred thirteen per cent over 1902.

Thus in twenty years the municipal debt nearly quadrupled in size; and in the last eleven years it more than doubled. At this pace the debt will reach seven billions in 1924.

To what causes can we assign this tremendous growth in the municipal debt? First, the unprecedented expansion of our cities. In 1790, there was but one city with a population of 30,000 inhabitants or over, eight-tenths of one per cent of the nation; in 1890, there were one hundred three of such cities with a total population of 12,612,000, or twenty per cent of the nation; and finally, in 1915, we find two hundred four of such cities with 31,168,150 inhabitants or thirty-one per cent of the nation. In brief, in a quarter of century urban population in cities of 30,000 inhabitants, or more, increased one hundred forty-seven per cent. Late figures are not available for cities of three thousand or more people, but it is a safe approximation to say that fully sixty per cent of our people live in urban communities. Second, the enormous

*Read at the Fourth Annual Convention of the League of Minnesota Municipalities, October 19, 1916.

trend cityward means not only expenditures for operation and development at an equal pace but rather at a ratio in excess of that growth. Thus, if a city grows at the rate of ten per cent, its governmental cost will increase at the rate of fifteen, twenty, or even twenty-five per cent. Third, another and potent cause for increased cost is the shift in municipal ideals. The Jeffersonian scheme was to let the individual work out his own salvation as best he could without interference or assistance by the state; today we are demanding that the state do everything that the community can do better than can an individual or a group of persons as a corporation.

The doctrine of *laissez faire* is being thrown into discard. We are shifting from the Anglo-Saxon ideal as typified by England to the Teutonic scheme as exemplified by Germany. All this has brought greater expense; will bring greater expenditures, and hence, will result in increased borrowing. Fourth, our present huge debt is very largely due to the shiftless financial policy or rather lack of policy pursued by our American cities. Bonds have been sold (1) to pay excess operation expenses; (2) for a longer term than the life of the thing purchased; (3) for purposes whose cost was more properly allocable to current expenses; (4) based on an unsound fiscal policy; (5) and finally, whether wisely or unwisely issued, no provision was made for their amortization, or when made, then on an unscientific basis, so that all these bonds must be either wholly or partially renewed. How much of the present debt is due to each of these causes cannot be even approximated as sufficient data are not available. Some instances:

Memphis found that it had issued \$400,000 of bonds to pay operation deficits; Minneapolis paid for paving street intersections with thirty year bond funds; St. Paul bought motor apparatus with thirty year bond proceeds; New York learned that the Tweed Ring had issued \$100,000 of seven per cent bonds for two hundred fifty years for a street opening; and I doubt if there are a dozen American cities whose bonds are all on a scientific sinking fund basis. This is certainly not an enviable record.

According to the 1913 Census report, the debt of the combined Minnesota communities is below the average; the per capita for all the municipal divisions of the country in 1913 was \$35.84; for the Northwest, \$22.94, and for Minnesota, \$31.64. Despite this showing we are not free from fault or invulnerable to criticism, as the replies to a questionnaire sent out a few months ago amply prove.

Municipal borrowing naturally falls into three divisions: First, anticipation loans, or short-time securities issued in anticipation of the collection of money due, or to become due, or to establish a credit or a short-term revolving fund for the benefit of a part of the community; second, floating debt, or admitted obligations, unsecured, payable on demand, but for which there is no money on hand; third, funded debt, or bond issue.

The term, "floating debt" as here employed should not be confused with vouchered or unvouchered claims or bills past due or long outstanding but for which no check, warrant or other promise to pay has been issued. Unfortunately, the nomenclature used by the different cities in the designation of

their securities varies so much that it is often difficult to determine from the name itself just what may be the nature of the debt, hence recourse must be had to the instrument and the agreement underlying it to ascertain into what division it falls. Again, cities often use the same form of security for different purposes, and in that case, the purpose must govern.

Tax Levy Certificates

"Anticipation loans" are of two kinds. Revenue or tax loans, the first, are those securities sold in anticipation or expectancy of funds due, or to become due, for the maintenance of the government, or for purely governmental functions, and they are based on the levy of taxes. They may be known as tax-levy certificates, certificates of indebtedness, revenue bonds, revenue loans, tax notes, tax warrants, or just warrants. As such they are issued under proper legal authority, bear a definite or prescribed interest rate, become due at a fixed or known time, and generally are a first lien on some specific tax levy, even though in addition the full faith and credit of the city be pledged for their payment. Usually their life is not to exceed one year, and they are generally sold whenever cash is needed by the government. As these securities are sold before any liability or expense incurred becomes payable they must not be confused with the city or the county warrant payable on demand. The latter is like a check issued by a private person without funds at his bank, but who may at some future day make the necessity deposit. The obligations which we are considering partake the characteristics of a promissory note of the individual; in fact, they are the short-time notes of

the government, and the result of a definite and avowed contract of borrowing money, all of whose terms are set forth in the security or are known to the contracting parties prior to the loan.

Securities of this type are issued in large amounts by cities not on a "cash basis." The purpose is to secure money to defray the expenses of the government during the current year, the cost of which will be billed and collected from the taxpayer the year following. Suppose we use John Doe as an example. John is hired at a monthly wage of \$100.00 on July 1st, 1916, and at such time, he is without any money whatever; and therefore, he discounts his note for \$100.00 payable in one month and at four per cent interest. On August 1, he is paid his wages, and liquidates his note, but again finds himself without funds, and so makes another note for \$100.00, and keeps this process up month after month. Everyone will agree that John Doe is on an unsound fiscal basis; that it costs him four per cent to procure money to live and that this is a wasteful expense. Likewise any city which issues certificates or warrants in anticipation of taxes is also on an unsound financial basis; its government costs about four per cent, or whatever may be the interest rate, more than it expends for services because of its slatternly economic policy. Anticipation loans of this type are due to the lack of knowledge and the inefficiency of the public servants, and the indifference of the people of the community issuing them. Bond buyers treat them as a permanent debt of the city, or akin to a bond issue in many cases, the fact that our statutes provide that they shall not constitute

part of the city's debt to the contrary notwithstanding. Of the forty-seven cities answering our questionnaire, twenty are not on a cash basis; there are probably others not accounted for. St. Paul seems to be the worst offender. In June, 1916, it borrowed about \$3,000,000.00 at four per cent and so had to pay \$120,000.00 for the privilege of doing business as a city for one year. Its comptroller computes that within a few years it will be obliged to pay \$300,000.00 for the same privilege, all depending upon the increases in its budget. Now, this annual interest charge is pure waste,—the very worst kind of waste because there is not even the slightest shadow of a substantial return for its expenditure. And, gentlemen, it is an astoundingly simple matter to put a city on the cash basis. The city must simply make its income year coincide with its expenditure year; in fine, the money to defray the 1918 expenditures, which are based on the 1918 budget, must be collected in 1918 and so must be based on the 1918 budget instead of the 1917 budget. In order to accomplish this simple feat, it must certify its 1918 budget tax-levy to the County Auditor prior to October 10th, 1917, so that he can place the same on the tax-rolls for and collectible in 1918. This in every case requires merely the readjustment of the budget and tax-levy period, and can readily be accomplished by an amendment to the charter or other legal sanction. It is a mistaken impression that it is necessary to wipe out or retire the outstanding tax-levy certificates, in order to get on a cash basis.

But you ask, "How about the tax-levy certificates?" Very well, "How about any other debt, bonded or otherwise?"

If we have a debt which we cannot pay, we must renew; we can do the same with the tax-levy certificates. But, as debt carrying is expensive, the tax-levy certificates should be retired. We can fund the certificates by a bond issue and thus save the necessity of constant reissuance of the certificates and also fix the interest rate for all time, and then retire the bonds either on a sinking fund or a serial basis. Or, we can insert in our charter a mandatory provision compelling the annual liquidation of a certain portion of the certificates and the renewal of the unpaid portion until all are wiped out, together with the provision that no new or original certificates shall be issued. Under either plan, the amount of the capital debt will be the same; though there may be some difference in cost ultimately by reason of interest fluctuation. There is, however, some question as to the size of the capital debt which you must fund in order to take up the tax year you lose by shifting to a cash basis. This is the only complicated problem in the whole matter and depends upon the relation of the tax year to the financial year. For instance, St. Paul's fiscal or bookkeeping year begins with January 1st, 1916, and ends with December 31st, 1916; its financial or money-borrowing year from June 15th, 1916, to June 14th, 1917, and its tax or collection year beginning with the first Monday of January, 1917, and ends November, 1917, and so on each and every year.

At this time, let me warn you that no city can wholly escape the necessity of making short time loans, say for thirty to ninety days, to defray the cost or current expenses of the government. It must either borrow, or make excess

appropriations in order to secure from time to time a cash reserve or surplus cash. The cause for this is our rather unbusinesslike tax economy. You see we bill our taxes on the first Monday of January, and then grant the taxpayer sixty days in which to pay his personal property tax, and five months for the first half of his real estate tax, and ten months in which to pay the second half. No business house could extend such long term credits to its customers without either having an immense cash reserve or borrowing money in lieu thereof. Now, during the month of January not to exceed two per cent of the taxes are collected, and by the end of February about twenty per cent have been paid. Assuming that the cost of government is equal throughout the year, the expenses in January will be eight and one-third per cent of the tax levied. But, we have collected only two per cent in cash to meet the cost, and so on during the first half of the year. Hence, there may arise a shortage of cash—not of assets—in February, and again in April and May. This cash shortage must be provided against either by borrowing on short time paper, or by excess appropriations from time to time so as to provide a cash surplus at the beginning of the year.

Now, the saving in interest is not the only benefit to be derived from the cash basis plan. Public officials find that on a rising budget there is not sufficient cash available at the close of the year to meet all liabilities incurred, and hence, they must either carry over into the next year a large amount of unpaid bills, or they must anticipate this shortage by trimming down their budget. If the bills are carried over from

year to year, then we gradually fall behind until we have amassed a considerable amount of bills and claimants howling for payment. This not only prevents discounting of bills and good purchase methods, but may result in inflated prices to the city by reason of its "slow pay." On the other hand, if you have a falling budget, then by reason of your larger collections based on the last budget, you collect more cash than you need, which public officials find means to spend. The non-cash basis is also misleading to the public; it enables the outgoing administration to cause a heavy tax-levy the year after it is out of office. Also, the acute politician can trim his budget for the tax-levy during the election year and make up in his expenditures the following year. Finally, the cash basis materially simplifies both the accounting and the financial problems. In the absence of legislation to compel cities to be on a cash basis, we can dismiss the topic in the hope that soon all Minnesota cities voluntarily will get on a cash basis for their own good.

Special Improvement Loans

The other kind of anticipation loans are those securities issued to finance or fund a special work the cost of which must be borne by part of the community in the shape of a local improvement assessment. Assessment certificates, assessment bonds, local improvement certificates of indebtedness, etc., come in this class. Warrants are often used for this purpose. The object may be twofold: first, to defray the cost of construction pending assessment collection; and second, to extend a credit to the assessment payer to enable him to pay his assessment in several annual installments. It will be observed that

these are two separate and distinct purposes, though one loan may cover both objects; a financial officer however must make this distinction in order to borrow wisely. Loans of this class are commendable, and not reprehensible, but in the manner of handling, there is a good, a better, and a best plan.

The best plan involves a proper solution of these factors:

1st. To fund the operations, both construction expense and deferred installments, at the lowest interest cost.

2nd. To prevent the accumulation of surplus cash, while securities are outstanding which cannot be redeemed because not yet matured.

3rd. To provide a plan so that the funding operations can fluctuate with the changes or gradations of the improvement program or demand, i. e., a flexible funding plan.

In order to secure the loan at the lowest interest rate, these elements must be combined: the city must borrow all the money at the same time; it must give the best security possible; and make the loan for as long a period as it can in conformity with good business principles. In order to secure a complete idea of what money the city will need during the coming year for local improvement operation it must determine how many improvements it will make and their estimated cost. In fine, it must adopt a local improvement program or plan for the year.

This plan has an additional advantage in that it will enable the contractor, or the city if it is operating on the city force plan, to buy its materials advantageously. Of course a very small town makes improvements only occasionally, and must pay the penalty of its size. Every city which makes

many public improvements and funds them separately, is pursuing an unwise and expensive policy.

Security

The next element to be considered is the matter of the security behind each loan. As to their security, loans may be divided into three classes:

1st. Those where each particular improvement fund is the only security, and the certificate holder must bear the loss arising out of any deficiency.

2nd. Those where the city agrees to make good any deficiency up to a certain amount.

3rd. Those where the city guarantees the loan, or pledges its faith and credit to make good the entire deficiency.

In the first two classes, the certificate buyer must himself ascertain the ability of each piece of property within the assessment district to pay its assessment, i. e., the possibility of a deficiency and its probable size. The greater the risk, the higher the interest rate. Hence, these two classes of securities cannot always be sold at the lowest interest rate. Where, however, the credit of the city is pledged, the lender need not trouble himself any more than if he were buying bonds.

Term of Loan

The third element affecting interest rate is the life or the length of time of the security. If the lender must turn over or reinvest his money frequently, he has the trouble and cost of looking for another good loan together with the loss of interest during such search, and therefore, as he does not take kindly to short term loans, charges a higher interest rate. As the interest rate is governed by the size, the secur-

ity and the life of the loan, a bond issue for a long term, say ten to thirty years, satisfies these three requirements in the highest measure. This means that in funding assessments or like loans, a city should if possible create a cash revolving fund, as this scheme obviates the necessity of borrowing piecemeal.

The question of the size of our revolving fund brings us to the consideration of the other two factors: the prevention of a cash surplus, and a flexible funding plan. If the assessments are payable in one installment, then we need consider only the varying magnitude of our construction programs. Take a construction program which costs, the first year, \$10,000.00; the second year, \$8,000.00; and the third year, \$12,000.00. Now, if we borrow \$10,000.00 by a bond issue, then we find ourselves at the beginning of the second year with a cash surplus of \$2,000.00 as our program only calls for \$8,000.00, whereas in the third year, we must spend \$12,000.00 but have only \$10,000.00 in cash. Hence, our funding scheme obviates neither a cash surplus, nor gives us flexibility. Now, if after a thorough study of our past construction programs and our future possibilities, we conclude that the average program amounts to \$8,000.00, we should then borrow that amount by a bond issue and at a low interest rate. Therefore, at the beginning of the first year, we have \$8,000.00 in cash from our bonds and can fund the remaining \$2,000.00 of our program of \$10,000.00 by a short-time loan, one year. At the close of the first year we repay our \$2,000.00 and begin the second year with \$8,000.00; enough to cover the second year's program. In the third year, our program calls for \$12,000.00;

we have \$8,000.00 and must borrow \$4,000.00 on short time paper; and so on, year after year. Later, if we find that our average minimum program has risen in size, then we can take up the slack by more bonds, so as to avoid too heavy borrowing by short-time loans.

Financing Deferred Installments

As was said before, the financial officer must treat the financing of deferred installments as a separate and distinct operation in order to conduct his funding wisely. Where the law compels the taxpayer to pay his assessment in a given number of installments, the problem is simple: merely deduct the first installment from the total number in order to secure the percentage of the whole assessment which the city must fund. But, where the taxpayer has the option of paying the whole assessment in one installment or cash, or upon the deferred installment basis, some considerable study is necessary in order to borrow wisely. For instance, St. Paul's charter formerly allowed assessments to be paid either cash or in five annual installments. Assessment bonds for three years, bearing six per cent, were sold to cover the entire cost of each improvement. When the assessments were collected we found that fully 80 per cent of the taxpayers preferred to pay cash; only 20 per cent took advantage of the installment privilege. The result was that at the end of the first year after our loans were made, we had eighty per cent back in the treasury, and yet could not redeem our securities to that extent, because they had yet two years to run. Now, after a period of years, we find that our deferred installment loans expand and contract in

the same manner as our construction programs contract and expand. Consequently, we can issue long term securities for our minimum installment borrowing and create a cash revolving fund in the same manner as we did to cover our minimum construction program. By adding the two together, we ascertain the total amount of bonds we need to sell, and then can care for the fluctuations of both by short-time paper, supported by the credit of the city. This plan will enable us to borrow at the lowest average interest rate; will prevent a cash surplus due to over-borrowing; and still give us a flexible plan of funding.

Local Improvement Warrants

A word concerning the issuance of warrants for funding local improvements. The cities of the state are authorized to do this, and eleven of the forty-seven cities answering our questionnaire do issue them for this purpose and at six per cent interest. If a man, whose credit is good, were to hand you his check and say, "I have no money in the bank, so go over there and let them refuse payment, and then I'll pay you six per cent interest on my check until I can make a deposit and you can cash my check" probably you would suggest to him that his note for a definite period might be more business like, or perhaps, you might ask him to discount his own note at his own bank and then pay you in cash. Why should not the public float its notes, instead of its checks, and then pay cash? It is not only more business like, but a positive protection because the making of a loan arrests public attention and invites public scrutiny. Had business principles been compulsory it is probable that Koochi-

ching County and some other counties might have been spared some unpleasant notoriety. Finally, this kind of loan has all the vicious qualities appertaining to floating debt.

Floating Debt

Floating debt, we learned, is a demand obligation, unsecured, but for the payment of which there is no money in the treasury. It is our old "check without funds in the bank" stunt all over again. Warrants, which have been dishonored by the disbursing officer, and which bear interest from the day of presentation to the day of payment, are floating debt. All cities and villages of this state are authorized by law to issue them. Thirteen of the cities answering our questionnaire use them. It is the most unbusiness like, the most wasteful, the most vicious, the most inexcusable scheme for handling the financial affairs of either an individual or a community. I have in mind not only the Range cities, the northern counties, but also the early days of St. Paul and other Minnesota communities; in fact, the beginning of nearly every American city. It is my belief that research will reveal them all equally guilty of having issued these warrants in wild abandon and utter disregard of how, when and by whom they would be paid. The riotous youth we partially excuse by saying, "He is sowing his wild oats." Each community, strange to relate, seems also to have a "wild oats" period. Some cities, like men, grow sober and conduct their affairs on a business-like basis, often bearing for a long time the marks and reputation of their earlier financial abandon; some few never recover. Unfortunately, it is not always the guilty who pay the penalty; the innocent are

made to suffer. "Let posterity pay" sloughs off all responsibility for city debts. This is all right, if you are not posterity. The individual spendthrift can dissipate his patrimony and dying defeat his creditors, but in the case of governments, the spending folk die and then make their children or their successors foot the spender's bills,—certainly a lovable and lasting legacy, an equitable distribution of the burdens of a patriotic life. Often, when a community funds its floating debt, it is merely selfish, because it makes no provision for retiring the bonds issued for that purpose.

Interest Bearing Warrants

The issuance of interest-bearing warrants, even when done conscientiously, and in accordance with apparently sound business principles, is open to these objections:

It is wasteful and uneconomical, because they invariably bear the highest interest rate allowed by law. Therefore, our failure to employ a security which sells at a lower interest rate causes us to lose the difference in interest charges.

It is expensive because of consequent price inflation. Even though the warrant bears the highest interest rate, its owner may need the cash, and so must discount the warrant, and consequently may not receive its face value. As credit sinks by reason of the warrant output, the discount rate mounts. Persons aware of this condition, and not willing to reduce their profit, accordingly add the actual or probable discount rate to the price of their commodity. Higher prices means higher cost of government and higher taxes, or less service for the same price.

It hurts a town's credit. Cities, even

states, cannot escape the price of their financial slovenliness. A floating debt is evidence that the government is not employing business methods in its financial operations, and inferentially in everything else. Capital, ever timid, is afraid you will not pay your debts, or that you are living extravagantly, and hence, avoids participating in funding operations or bond flotations.

In addition to all the objections just urged, it leads to extravagance in the conduct of the government. Where there is no proper budget to limit officers in their expenditures, they can and do spend money at will. Warrants can be issued without serious hindrance, and the public misled into believing they are securing splendid results at a low cost. In fact, the tax-levy can be kept very low for a long period; trouble will only come when the warrant output is so great as to render additional issues unmarketable or very expensive, and then the city is confronted with a serious financial problem. Many public officers believe in letting "the devil take the hindmost"; their sole aim is not to be the hindmost. There is considerable improvement in budget-making in this state, but as yet neither the state, nor any of its subdivisions, to my knowledge, has a complete and correct budget system.

Fund Accounting

Again, the absence of fund or appropriation accounting, even where there is fairly good budget-making, prevents a control over the incurrence of liabilities, and so a check on over-expenditure. Debts contracted one year can be carried over to the next year and paid out of next year's funds or tax-levy, and thus accomplish the same end as occurs where there is no proper

budget. Minneapolis, a year ago, and St. Paul, two years ago, installed fund accounting; to the best of my knowledge, no other city, no county, nor even the state employs fund accounts and takes cognizance of commitments against appropriations.

Warrants Without Funds

The issuance of warrants without funds in the treasury to pay them should be prohibited by law. Counties and cities should be made to do business on business principles. It is regrettable that Sec. 870, Gen. St. 1913, authorizes county warrants or orders of this type; Sec. 1159, town orders; and, Secs. 5541 and 5682, for drainage ditch construction. It is rather odd and amusing, therefore, that the state authorizes a procedure which the state itself condemns as unsound. Sec. 867 prohibits the county treasurer, or his deputy, from speculating in the warrants or orders of his county, or any of its civic divisions. It also prohibits him from returning any warrant or order to a civic division or to the state in the settlement for taxes, unless accompanied by his affidavit stating that he received them at par.

Funded Debt

We come now to funded debt or bonds. A bond is the long-term note of the government, and its sale is duly authorized by law for a fixed term of years, at an interest rate within a given amount, and to be sold usually at par upon formal bids and after due publicity. Unless issued for a public enterprise or utility, the full faith and credit of the city is pledged for its interest and redemption, and even in the former case, the city often stands behind the security. Formerly, cities

sold bonds in aid of a quasi-public undertaking, as railroads, etc., but now their issuance is generally restricted to three purposes: Straight or purely governmental functions; secondly, for public enterprise or utility purposes, as the acquisition of waterworks system, etc.; and finally, for public funding or trust purposes, as the creation of a cash revolving fund. After all these years, and after much experience with railroad aid bonds, this state again in 1913 authorized their issuance by certain counties, but not, thank the Lord, until after the railroad is built.

Funding Purposes

In the case of bonds issued for purely governmental purposes, both the interest and the sinking fund should be charged to the taxpayer, whereas, in the case of the enterprise bonds both these charges should be paid out of the earnings of the utility. A public enterprise should be treated as if it were a private corporation; the city should pay for what it gets, and thus enable us to learn whether the enterprise is paying its way, and what profit, if any, it is earning. Where the city pays no charge, an injustice is done to the consumer by making him bear the burden which should be borne by the taxpayer. The third purpose is to create a cash revolving fund or a cash working fund. In brief, it is a "petty cash fund," of large proportions. It is borrowing for accommodation or trust purposes, and the fund if properly managed will have the same amount of cash in it when closed or discontinued as it had at the beginning. Shortages or shrinkages are due to a lack of accounting and finance knowledge. Its interest charges should be billed to the beneficiaries of the fund; if for assessment purposes

then to the assessment payer, and if for a cash working fund, then to the taxpayer. No redemption provision is necessary, unless it is desired to create a permanent fund, and thus save future interest charges; in which case the taxpayer must be billed therefor. A number of Minnesota cities fail to follow these salutary provisions; they charge everything to the taxpayer.

Types of Bonds

There are three general types of bonds: plain, straight, or sinking fund bonds are the best known and still most widely used. To redeem them, one must set aside each year a given sum which if invested promptly at a given rate of interest will produce sufficient moneys to pay the bond at maturity. Actuarial tables have been devised which make these computations very simple. Another type is the serial bond, which calls for the retirement of a part of the capital debt at a given time, by the wiping out of a share of the bonds sold. For instance, \$5,000.00 of bonds for five years; in each year a bond or bonds amounting to \$1,000.00 is paid off, with a consequent reduction of the interest charges. Massachusetts, by law, now compels all its civic divisions to sell serial bonds only. In the near future, this bond type will displace the sinking fund variety altogether. It insures prompt payment of the capital debt by the communities, especially if there is a legal provision against their renewal. Some think this type cheaper than the sinking fund kind. Another kind of bond widely used in Canada is known as the equal installment bond. It is a modified form of the serial type. Each year all the interest outstanding and due that year and a part of the capital sum are paid to the bondholder

in such proportion that each year the burden on the taxpayer is the same during the life of the bond.

A suggestion recently made and worthy of serious consideration is the issuance of bonds for a long time,—say fifty years,—and irrespective of the life of the object originally bought. They are to be regarded merely as a financial transaction to secure a low interest rate. However, the life of the object bought is to be scientifically determined and each year a definite amount set aside as a “depreciation reserve,” to replace the object when worn out. Thus, there will be a sinking fund to pay off the debt and another to replace the object destroyed from time to time. Under our present mode of doing business, when our bonds mature we pay the debt, and also find that our object has fallen to pieces, and that consequently we must reborrow and rebuild.

Reserves in Advance

But, in the final analysis a great deal of our municipal borrowing is absurd. If we could plan our cities and our probable expenditures for development and replacement with some degree of care and thoroughness, say for ten year periods, we could then each year set aside a definite sum as a “cash reserve” or “cash surplus” to be used in due time for the very objects for which we now borrow. But of necessity, public officials dare not employ such foresight; they must be opportunists, because taxpayers would howl down the suggestion just made and kick the suggester out of office, as it involves taxation for future use. But such a plan once inaugurated can be perpetuated successfully without any greater cost than at present borne, except for the first decennial period. Get-

ting the proper start is where the shoe pinches.

Mispractices in Minnesota

Some unsound practices still obtain in Minnesota after the original issuance of bonds, which must result in cramping the future borrowing powers of the guilty communities. One of these practices is the matter of issuing too long renewal bonds. For instance, a city of the first class recently sold thirty year renewal bonds to replace old thirty year bridge bonds, though the bridge is ready for the scrap heap. The State Legislature should prohibit the renewal of bonds for a longer time than one-half or at most two-thirds their original life. Another delinquency has been the failure to provide proper sinking funds. Prior to 1903 there existed no state law compelling the sinking of the bonded debt. Chap. 304, Laws 1903 provides that cities issuing bonds under its provisions must each year levy a half mill tax for the payment of all outstanding bonds, which amount however is inadequate in most cases. Sec. 787, Rev. Laws, 1905, authorizes the county auditor to levy for interest and for sinking funds in sufficient amount to pay debt at maturity, in case the delinquent does not make such provision. But this law if literally enforced on some communities will put them out of business, and so the law is more or less of a dead letter. Not until 1907 did the Legislature attempt to compel the creation of proper sinking funds, and then in most cases for first class cities solely. Therefore, there is urgent need for the enactment of laws compelling the speedy retirement of the present outstanding debt, and to cover the amortization of future bond issues. Out of

forty-seven cities answering our questionnaire, none except those borrowing from the state, seem to make proper debt payment provision. Another practice, concerning which we have only general knowledge, is the diversion of bond funds to other purposes than that of their issue. To correct this evil, requires the supervision of a higher and non-municipal authority. Such oversight the state provides through the Public Examiner, who is charged with the correction of all municipal errors. At present the Public Examiner **must** examine only the state and counties, and cities of the first class, but **may** examine the other civic divisions on request. The law should compel him to examine each and every branch of the government. The department however is not now equipped to do this work, for besides the state offices, the private bodies receiving state aid, the eighty-six counties, the 1,750 telephone companies, the three hundred freight lines and the thirty railways which he is now presumed to examine or audit, there are 2,574 cities, villages, towns, etc., and 7,980 school districts, which the Public Examiner should examine and audit periodically. Apparently, however, there is no legal bar to prevent the Examiner's requiring each tax-levying subdivision to certify to him the necessary data to enable him to prescribe proper sinking fund installments and prompt investment of its moneys. France requires each civic division, depending on its size, to certify its budget to the prefecture, or to the national government. So this suggestion is neither novel nor startling; in fact, the state attempted just such thing through its ineffectual Sec. 787, and the State Board of Investment now

practically does it through the County Auditor.

State Supervision?

This brings us to the query: Ought not the state to supervise the issuance of bonds by its local divisions, and how far shall that supervision go? Let us not snort about "home rule" and the invasion of local privileges, until we learn existing conditions. The state already regulates many things, from railway rates to the size of bed sheets for hotels; some states have so-called, "blue sky laws" controlling the sale of private corporate stock. Concerning bonds, the state regulates their length or life, their interest rate, the sale price, their redemption, and finally fixes a debt limit, though somewhat inconstant in this state. Hence, in order to prevent unwise bond flotations, why should not the state say to its subdivisions: "Spending public credit is a responsible thing to do. You must in every case satisfy the public of the whole state that your project is wise and sound." Accordingly to determine how far the state should go in approving bond issues, we should know what are the elements of a good bond investment:

A. The issue must be legal. Hence, it must conform to all provisions of law already alluded to, and in addition, its sale authorized according to law, either by the council or popular approval, and there must be due advertisement, formal bids and a proper award to a purchaser. Upon certification by the Public Examiner as to the present indebtedness, and as to the assessed valuation by the State Tax Commission, the Attorney-General can determine all the other factors involved in the legal phase. The state of Texas now pro-

vides for approval of bonds as to their legality, and when once approved they are incontestible on any legal ground.

B. It must satisfy the economic factors: first, moral character: Has the city ever tried to repudiate its debts? Has it defaulted in interest or capital payments? Is it complying with the law relative to sinking funds?

Second.—Business character: Is the city efficiently and economically managed? Is the public debt increasing disproportionately to growth of population and wealth? How are bond funds being invested? Is there any floating debt? What are the permanent assets of the city? Is it a city of home owners, and are the people thrifty? What is the purpose of the present bond issue? Is the issue a wise one? What is the tax rate?

Third. — Economic development: What has been the growth in population and wealth in the past, and what the future development? What is the nature of the present wealth, and what change in character is likely? What is the nature of the resources of the territory tributary?

With the aid of the other state departments, the Board of Investment can answer all these questions and such others as may be necessary. Careful bond-buyers cover practically the same ground. The Board could then approve or reject the bonds offered. Perhaps, notwithstanding rejection, the cities should be allowed to sell their bonds, if they can find a market, which is doubtful. In England, France, and Germany, the local division must secure the assent of the central authorities, before they can issue bonds.

Now, let us advance another step. If

the state shall approve bonds, then there can be no danger in its guaranteeing them. For with bonds incontestible from legal attack, and with the Public Examiner constantly checking interest and sinking fund requirements, there can be no default. But some may object that this scheme some day may "bust" the state. Very well, then the state is already happily on the road to "busting." It does not guarantee the bonds of its civic units; it buys them. It buys them in astoundingly large quantities; today it owns about \$25,000,000.00 worth of bonds, though until about thirty years ago it did not buy the bonds of its own communities. It buys bonds now at the rate of about \$2,000,000.00 a year, and cares for the flotation of about eighty per cent of the bonds issued by Minnesota communities, outside of the three big cities. In 1913, the total net debt of the municipal divisions of the state was \$69,018,441.00, and about half of this amount must be charged to the three big counties: Hennepin, Ramsey, and St. Louis. From 1902 to 1913, \$30,089,737.00 of bonds were sold by all the civic units, or at the rate of about \$3,000,000.00 per year. Hence, we find that the State Board of Investment cannot care for all flotations as it has only about \$2,000,000.00 available each year. There are now pending about one hundred applications for loans by it, which cannot be cared for until next year. We must find some other means to relieve this condition and enable the smaller communities to borrow cheaply. The state guaranty of bonds may help some, but why not do the job right?

Why not have the state, through the Board of Investment, act as the sales

agent for all the civic divisions in the sale of their bonds? Of course, for the state to peddle the bonds in small lots will not be either economical or business-like. Therefore, why should not the various municipalities borrow co-operatively through the agency of the state? Why should not the state accept the many small offerings of the different communities, approve and guarantee the bonds, put them into one pot, hold them in trust and then, in its own name and secured by the bonds of municipalities, issue against this fund participating bonds or trust certificates. Do the same as private corporations which issue certificates against farm mortgages. It is not my purpose that the state shall go into the banking business, as the City of St. Paul has, but the participating bonds or certificates issued by it shall have a definite maturity date, and not be payable on demand. They might run for ten or twenty years. This scheme will enable the Board of Investment to procure all the funds necessary to enable it to buy promptly such bonds as it may approve, and not restrict it to the size of its present income. It will enable all cities to sell their bonds on the same basis as those now sold to the State Board, or nearly so. This plan will relieve a condition which otherwise may grow worse rather than better, as we are a growing and prosperous state, and the inability to borrow promptly and cheaply may hamper that growth. Therefore, let us take this simple measure to insure our continued expansion and insure our greater development. Legislation will be necessary, of course. But, let us do it NOW.

In conclusion, let me say that our present huge municipal debt, our past

failure to make adequate provision for its redemption, our past unsound fiscal policy, the fact that in many of the cities of our country from fifteen to twenty-five per cent of the annual budget is for debt service, the city-ward trend of our people, the expanding functions of our municipal governments, all contribute to the need and demand for a thorough survey by each unit of the government of its existing financial obligations, the early promul-

gation of a safe and economical fiscal policy and the pursuit of a well defined financial program. It is a duty we owe ourselves and the future generations. It is a burden which rests on each city, town, village and county of this state. Let us examine our laws, revise and improve them to the end that in Minnesota there shall be safe and sound, yet unrestricted, wise and economical municipal borrowing.

Some Practical Aspects of Municipal Borrowing*

By Arthur J. Edwards, Assistant Secretary
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You have just listened to a very interesting and instructive address upon the theory of Municipal Borrowing, and many of the suggestions made by the speaker will doubtless be the subject of your thought and discussion. This address has centered your attention upon some of the difficulties now prevailing in choosing the most advantageous way in which to borrow, and I take it that my part on the program is to discuss with you some of the more immediate and practical aspects of this subject. What I have to say will therefore be addressed to you frankly from the standpoint of one engaged in the municipal bond business, that is, the loaning of funds in large amounts to municipalities, and acquainted with the practical side of making such loans.

The business of buying and selling municipal bonds, like every other properly conducted business, is that of furnishing both a commodity—money—and a service to the other party, for which we are entitled to receive a reasonable compensation or profit which

we must obtain by selling our bonds at a small advance over cost. The efficiency of such service rendered contributes to the satisfaction of the transaction and it is to this aspect that I direct your attention, hoping that by a comparison of your experiences with ours, common grounds may be found for the improvement of the service, and the convenience of both parties to the contract.

Sound Basic Policy Needed

The borrowing of money for the uses of any municipality is among its most important functions and every municipality ought to have a well planned financial system, based upon sound principles. Borrowing money costs money and it costs in substantial amounts as you all know. The interest on a bond issue in many instances amounts to as much or more than the original principal of the loan. The total interest on a typical thirty-year 4% Minneapolis bonds amounts to 120%, which is one-fifth more than the principal itself. Borrowing is not an expe-

*Read the Fourth Annual Convention of the League of Minnesota Municipalities.

dient for getting money for nothing, but it is simply a means of getting money in larger quantities for immediate use at one time than would otherwise be possible.

There are many of the important substantial needs of a city, such as its water works, sewers, schools and parks, which it is economical to build or acquire in large units and at one time, and it is sound policy to borrow money for such purposes. In making the plans, however, the city should have in mind the costs, and the debt should be paid off through sinking fund or serial payment within the shortest time possible, the general financial condition of the city being considered in determining this. What this time shall be is difficult to say in general terms, but there is one sound principle which cannot be too strongly emphasized and that is that no money should be borrowed for more than the life time of the utility or purpose for which the loan is expended. A loan for sundry floating indebtedness, if made at all, should be for the shortest possible term.

Legal Restrictions

Three of our neighboring states—Wisconsin, North and South Dakota—have in their State Constitutions a provision that no money shall be borrowed unless at the same time a tax is levied continuing during the term of the loan for the payment of principal and interest. This requirement that municipalities shall make complete and enforceable provision at the time of borrowing for the ultimate payment of the debt is, in my opinion, a very wise provision and one which might well be adopted by our state and its municipalities.

The Northwest as a Bond Market

The Northwest, and particularly the Twin Cities, as the recognized financial center of this region, is now self-sufficient for the financing of practically all its own municipal requirements. This is not to say that the presence of Chicago and New York houses in our market is not a good thing, but rather to emphasize that at all important sales the bankers of the Northwest, that is the municipal bond dealers and the banks and trust companies with bond departments, have been among the strongest bidders and in most instances have been the buyers, and successful sales would have been made had no outside bidders appeared at all. The Northwest houses have thus become specialists in financing Northwest issues and are able to handle such issues to the best advantage and with the minimum of expense and time consumed in the operation.

The Northwest dealer has access to all of the money markets of the country but finds that the majority of our Northwest issues fall short of the standard of eastern buyers in the matter of minimum assessed values and population. For this reason, a special market has been developed at home where the intrinsic worth of these small issues is best appreciated and where the element of exemption from local and state taxation adds most to the value of the bonds.

Exemption from taxation of various kinds is an element of increasing importance to private investors. Bonds of Minnesota municipalities issued since 1911 are not subject to general taxation within the state and furthermore are exempt from the Federal income tax, just recently doubled in

amount. For these reasons and others Northwest bonds are particularly desirable and in demand here at home. Bonds of the smaller municipalities, however, do not bring the high prices, or in other words, the low interest rate on yield that bonds of the larger cities bring, but nevertheless the market developed here is steady in character and permits the sale of bonds of cities of any size at manifestly fair rates, whereas, if we depended upon eastern markets only, there would be no sale whatever for issues of the smaller places.

In fixing the interest rates, at which bonds are to be sold, we need to know what the demand for such bonds is; that is among what classes a market may be expected. The biggest buyers of bonds in the country are undoubtedly the Savings Banks of the wealthiest states, particularly New York and Massachusetts, which are governed by strict laws in their investments. These laws put on the eligible list only bonds of the cities of St. Paul and Duluth for New York banks and Minneapolis, St. Paul and Duluth for Massachusetts banks. Neither of these states permits the purchase of Minnesota county issues.

The next greatest buyers of municipal bonds are the large insurance companies of the East. These companies are not so rigidly limited by law as are the Savings Banks, but from a practical standpoint their business policy limits them almost as much. An examination of the municipal bond holdings of these companies discloses that they own very few Minnesota bonds outside those of our three largest cities.

Making a Loan

The steps in the typical municipal

loan are usually conducted in about the following order:

1st—The discussion and decision on the part of the municipality to borrow money for some needful purpose.

2nd—An examination of the power of the municipality to make the loan, it being recalled that municipalities have no implied power to borrow money but must have specific authorization for any loans from the legislature, representing the state, from which all their powers including their charter powers are derived. The laws governing the loan will limit the municipality in various ways, such as the time for which the loan may be made, the rate of interest, and the amount to be borrowed, and the municipality's plans must be adjusted within these limits.

3rd—The legal authorization of the loan by the council or governing body of the municipality, followed usually by a referendum vote of the people approving it.

4th—The finding of a purchaser through negotiations or an advertised sale.

5th—The final step in the issuance of the bonds is their approval by the attorneys of the buyer, and the actual printing, execution, delivery, and payment for the bonds.

The Attorney's Opinion

One of the most important steps in this program, and one which is too little understood, is the approval of the bonds by the bond house attorney. Practically all bids for bonds by a bond house contain a clause somewhat as follows: "This bid is conditioned upon the approval of our attorneys, of the legality of the issue, the city agreeing to furnish certified transcript of the proceedings fully establishing such

legality to their satisfaction." The acceptance or rejection of the bonds so far as the legal features is concerned is thus dependent upon the decision of attorneys who are unknown and at the time of sale undisclosed to the municipality. The study of the law governing the issuance of municipal bonds is one of the most restricted specialties known to the legal profession, and it may surprise you to know that in the entire United States there are not to exceed six or eight firms of attorneys whose opinion upon the legality of a municipal bond issue would be acceptable to the majority of dealers in bonds located more than 250 miles away from the offices of such attorneys. In other words, there are two or three leading firms in Boston, New York and Chicago, whose opinions are more or less generally acceptable to dealers and investors all over the United States, but outside of these firms the opinion of the balance of the attorneys of the country can only be used in connection with bonds to be sold in their own immediate locality. As a result of this condition the few bond attorneys of national reputation in the country have their desks at all times filled with important municipal issues which have to take their turn in the matter of attention.

The pre-eminence attained by these few attorneys of national reputation has in the judgment of many bond dealers given an over-emphasis to the importance of securing their particular opinions with reference to so many issues.

The certified copy of the proceedings in connection with a bond issue is much the same as an abstract of title in connection with the purchase of a piece of

real estate, and there is a growing feeling that such a large percentage of Minnesota municipal bond examinations should not be sent outside of the state. There are a number of attorneys inside of the state whose learning and reputation is of a character to give their findings full credence within the territory where they are known and most of the northwestern bond houses now make it a practice to employ such attorneys on many issues where it is not necessary to seek a national market.

As stated though, municipal bond law is a most restricted specialty and the attorney with a broad general practice is not often equipped to pass upon the issuance of municipal bonds, for the reason that so many of the questions requiring consideration in connection with their issue, are not found in the body of the law as passed by the Legislature, but rise out of innumerable decisions in the courts. For this reason, it is not always possible for the capable local attorney to handle a bond issue satisfactorily to the bond house. The handling of an issue of bonds is an isolated experience with him while the ordinary routine business of the municipality is his every day practice in which, as in other things, perfection follows through repetition.

State Approval

In some states, notably Oklahoma and Texas, the law requires that bonds, before issuance, be approved by the Attorney General and registered by a state officer.

This is undoubtedly desirable, but as a matter of fact, it does not accomplish nearly as much as its advocates believe. The approving opinion of the Attorney General of any state is not generally acceptable to the investors and

bond houses of the country. The attorney passing upon a bond issue should be disinterested and there are too many intricate questions arising in connection with an issue of municipal bonds to be passed upon finally by an elective political officer. State approval has its good points as tending to uniformity of methods and a clarification of the law, but all bonds in the states mentioned are purchased by bond houses, just as in Minnesota, subject to approval by their own attorneys.

The feature of registration by a state officer has its good points as well in serving to identify the genuineness of the bonds and to give a single definite place where information can be obtained as to the outstanding debt of the municipality. I will not stop to discuss this feature, however.

A Better Suggestion

I have attempted to emphasize the practical importance of the views of the attorney for the bond house in connection with municipal issues, and now I should like to offer by the way of a suggestion the plan that you as a municipal officer reverse the order of your typical program, at least to the extent allowed by law, and call into consultation the municipal bond dealer at the commencement of the proceedings, and not at the end, and get what profit is possible from such consultation. With municipalities, as with any other business enterprise, time is money, and I will hope to show that consultation with the municipal bond dealer at the start will undoubtedly save you a considerable amount of time and insure greater certainty in the securing of funds, to your ultimate profit.

I think it is necessary to only men-

tion one specific instance of the advantage thus to be gained. In my home city, Minneapolis, probably the most important single municipal enterprise this year is the construction of the Third avenue bridge, which is to cost about three quarters of a million dollars. Two bond issues had already been sold and the proceeds applied to the construction work, when this spring the City Council decided that an additional \$100,000 was necessary and authorized the issuance and sale of bonds under a law which had not previously been availed of by the City of Minneapolis. All of the money in the bridge fund had already been spent when on May 17 the new bonds were sold subject to approval of the attorneys of the buyer. The money was not paid in to the city for some sixty days—to be exact, on July 14th—and in the meantime most of the skilled bridge workmen had been dismissed and work was practically at a standstill with a consequent loss to the city as well as substantial delay and annoyance in this most important project. The reason for this delay was simply that the attorneys for the buyers, attorneys of unquestioned national distinction and learning, required the time intervening to secure the necessary legal data and to satisfy themselves that the city had the power and had properly exercised it to issue these bonds under this particular law. It is usual in all construction propositions to figure as a part of the cost, interest on amounts expended from time to time during construction. Here was work costing at the time some \$600,000 delayed for 60 days while funds were being obtained for its continuance, and the cost of this delay at 4% on \$600,000 for 60 days was \$4,000,

to say nothing of the inconvenience and delay to the public.

We bond dealers have made repeated suggestions to the City of Minneapolis that the city secure the opinion of attorneys of national standing prior to the issuance of bonds, and require the bond buyers to accept the bonds accompanied by such opinions without re-examination. This is exactly what is being done to a very great extent in our neighboring state, Wisconsin, particularly by the City of Milwaukee, which invariably gets its money for bond issues within a week after the sale. In Minneapolis, the City Attorney now rules that particular restrictions in the Minneapolis city charter as to the employment of special counsel prevent the payment for such advance opinions. This particular objection applies, we believe, if at all, to Minneapolis only on account of its charter provisions, and would not hold generally with reference to municipalities throughout the State.

It Works Out

I have just mailed a bid for a considerable block of high school bonds of a certain Wisconsin City about one hundred miles south of here. Their advertisement reads:

"The purchaser will be furnished with the approving opinion of (in this instance a prominent Chicago bond attorney). The bonds will be ready for immediate delivery and must be taken up and paid for immediately following the sale."

Should we be the successful bidders for this issue, we will arrange for payment the day of notification. Their method of handling this issue exactly corresponds with the suggestion which I have just outlined and this city will

get its money with the least possible delay. Furthermore since the buyer is relieved of the cost of printing the bonds and securing a satisfactory attorney's opinion, we have added just that much to the premium which we offered to pay plus also a certain premium for getting the bonds for immediate use without the usual delays during examination. As a result, the city, in the end, not only gains in time, but actual receipts from the bonds as well. I sincerely trust that more of our Minnesota cities will give serious consideration to the more general adoption of this method.

Timeliness

If you take up the matter of issuance of bonds in advance with a properly equipped bond house you will undoubtedly be able to secure from them advice as to the money market, which will be of great help to you in determining the form of borrowing most advantageous at the time; that is, whether a long time or short time loan is best, and also at what rate of interest the bonds should be offered.

There is a certain psychology in fixing the interest rate, which the bond dealer best appreciates. There is always a tendency on the part of bond houses to take a municipality at its own estimate in the matter of the interest rate to which it is entitled. If the advertised interest rate is fixed higher than the market, bids will be based upon such higher rate and the city probably will not get the rate to which it would be entitled if the matter had been carefully determined in advance, while if the rate is low and the issue attractive the dealer will try to persuade himself that it can still be properly handled.

More important even than this is the

securing of the advice of the dealer's attorneys as to the law to be followed. In this state there is such a conflicting body of law that it is well to pick the most advantageous provision under which to operate. There are many occasions, too, when the city can, to advantage, authorize the dealer to have all the proceedings drawn under his supervision, conduct all of the steps in the procedure, supply the printed bonds ready for execution and secure for the city a satisfactory attorney's opinion to be delivered with the bonds when sold, similar to the case which I have just cited.

The cost of such legal supervision and the printing of the bonds and advertising will be moderate and if the city desires to be absolutely certain of its money on a given date, the bond house conducting the proceedings may be able to give them definite contract assurances of their willingness to bid for the bonds thus to be issued at the interest rate agreed on, when they are regularly offered for sale, with possibly a sufficient premium also to take care of the advance expenses. This practically amounts to underwriting the issue but of course no underwriting fee is charged. The bond house's only compensation in the matter is the charge agreed upon for conducting and assuring all the expenses in connection with the issue.

The ultimate success of any such plan depends upon the worth of the advice given and the efficiency of the service rendered, which results will have to demonstrate. Our experience, however, leads us to believe that the municipalities will be the gainers in the end by securing such advance advice in as many instances as possible.

I have only time to cite one instance from my own experience—an instance during the present season. The school district in a prominent city of the northern part of this state desired \$100,000 for schools. Our advance advice was that this issue could be sold at 4½%, although all previous issues had been marketed on a 5% rate. Our advice was accepted and our attorneys prepared the proceedings and the bonds were offered for sale in the usual way. It happened that the other houses did not agree with us as to the interest rate to which this city was entitled and ours was the only bid for the bonds. The city, however, got the lowest interest rate which they had ever secured, and we got a good issue at a price which our salesmen thought was high. Nevertheless this was a very satisfactory transaction in which everybody was the gainer through co-operation.

Legislation That Would Help

I am not acquainted with the policy of your League in the matter of suggesting desirable legislation, but there are certain general principles which I believe you could profitably consider, as they affect a considerable number of your members.

The one greatest objection to the method of legislating in vogue in Minnesota, at least insofar as it affects municipalities, is the failure of the legislature to enact laws based upon broad general principles, and their tendency to enact innumerable laws which are general in their terms only, but as a matter of fact are known to the legislature to be for the special benefit of some city, despite the constitutional prohibition against such laws. When the revised law was passed in 1905, the existing laws of the State on the

subject of public indebtedness was most admirably condensed into Chapter 10. This expressed in general and condensed terms the law of the State on the subject of municipal borrowing, and this chapter, excluding the special provisions relating to loans by the State of Minnesota, occupied only three pages. In the six sessions of the Legislature held since then, I believe it safe to say that the laws enacted, which were virtually amendments to Chapter 10, if compiled would occupy over three hundred pages. It seems very doubtful to me whether there is any real occasion for so many amendments, particularly when we consider that most of the amendments are not general in application but are designed to grant additional powers to cities which find themselves cramped by the existing legislation.

Far be it from me to say that public policy did not require the enlarging of the borrowing powers of these various cities, but it does seem that the amendments of the law should be in the form of a restatement of the general principles involving these matters rather than in the form of special exceptions. It is the tendency of the Legislature to try to make all of these new laws complete in themselves and not to take advantage of the great body of legislation already existing on the subject. Take, for instance, the typical authorization of additional bonds for the City of Minneapolis: Each one of these laws not only states the new purpose for which bonds are authorized, but also goes on to recite in detail the length of time such bonds may run, how they are to be executed and sold and the fact that the faith and credit of the city are pledged and that the city is either

authorized to pledge the existing sinking fund or levy additional sinking fund taxes for their payment, all of which details might just as well be omitted inasmuch as they are covered in the existing body of general law to which reference might be made. Too frequently the legislature in these laws neglects to take advantage of the existing law, and in place of restating it exactly, often gives us some slight variation from the existing law in such administrative details as to how the election is to be called, the manner and time of giving notice and the method by which the bonds are to be sold, all of which details might far better be covered by a provision that they are to be governed by the existing law. It is most confusing for the municipal officers, as well as the examining bonds attorneys, to keep track of these innumerable variations. A like tendency is illustrated by the enactment of complete new laws designed to amend existing laws but which do not state such purpose. An illustration of this whole matter may be found in the laws authorizing bonds for water works or light plants in cities of the fourth class, with which the speaker has had particular experience lately. Chapter 334 of the Laws of 1905 is included by the compiler of the General Statutes in the chapter upon Public Indebtedness. Chapter 43 Laws 1909, included by the compiler in the chapter on "Villages and Cities," is exactly like the 1905 law, with the exception of a few minor changes where the limit of indebtedness is increased. Nevertheless, the second law makes absolutely no mention or reference to the fact that it covers the ground of the first law nor does it repeal same. This law goes into

detail as to the form of ballot, manner of execution and sale of bonds, all of which might just as well have been governed by the existing law. As a result in passing upon the regularity of a bond issue of this character we have to study all of these new variations and find out whether all of these were taken account of by the attorneys for the municipality or if some of them escaped attention weigh the effect of the failure to notice all the changes.

The difference in plan of legislating here in Minnesota as compared with that of our neighboring states—Wisconsin, Iowa, North and South Dakota and also Montana—is very apparent to one who has had experience with bonds in any of these states. I believe it safe to say that the body of municipal bond law in all of these states combined is less than in Minnesota alone. This multiplicity of law and the knowledge that more can be had for the asking is, in many instances, to speak frankly, an encourager of municipal extravagance.

Another uncertain or twilight area of law is in the classification of cities under Article IV. of the State Constitution. The Constitution permits the classification of cities into four classes according to population, and a sub-classification within each of these population limits of those cities which are governed by Home Rule Charters, and those which are governed by General Law or by the Special Laws under which incorporated.

The distinction between cities governed by Home Rule Charter and those which are not so governed has resulted in laws the application of which is stated in four general ways as follows:

First: To cities of a given class **under a Home Rule Charter.**

Second: To cities of the class **not under Home Rule Charter.**

Third: To cities of the class **including those under a Home Rule Charter.**

Fourth. To **all cities of the class.**

It is easy enough to interpret the first three of these types of legislation, but trouble comes in interpreting the fourth type; that is, laws which are applicable "to all cities of a given class." The leading attorneys of the State are continually at variance as to the interpretation of such laws, some holding that the phrase means exactly what it says, that it is applicable to all cities of a given class, while others hold, with equal insistence, that Home Rule Cities should not be governed by any law relating to bond issues and indebtedness unless it specifically states that it applies to Home Rule Cities. There is a considerable volume of legislation now on our books in which this interesting question is involved and the phrase is one which has to be interpreted with increasing frequency as Home Rule Cities endeavor to issue bonds. It will be difficult to clear up the past legislation on this subject, but future legislation should be carefully watched so that this ambiguity shall not occur. Attorneys who are inclined to the broader interpretation of the law—and this is more likely to mean a Minnesota attorney than an outside attorney—take the view that the legislature means literally what it says when it speaks of "all cities" of a class, but the writer knows of more than one bond issue which has been rejected because of the failure of the examining attorney to take this view.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota,
E. L. BENNETT, Secretary

The Municipal Reference Bureau is at the service of all Minnesota municipalities for the answering of questions concerning municipal government and administration, for making researches, drafting ordinances, and sending suggestions to municipalities with particular problems. A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

REGULATING STABLES

Question: The question has come before the Village Council relative to the building of barns and other buildings of same nature fronting or so close the streets that they are a menace to the neighbors on the other side of the street, discharging odor and filth from manure that will be left in the open. The council has no ordinance regulating same. Is it in the power of the council to prohibit or order such building removed? If the council must have an ordinance to this effect we would appreciate it very much if you would mail us a copy of such ordinance that would cover this in full. Your prompt reply to this letter will be appreciated.

Answer: Such an ordinance as you indicate is entirely within the power of the council to pass, under section 1268, G. S. 1913. I am sending herewith a suggestive form drawn to care for your problem. On the assumption that you would wish to use a license requirement in order to make the enforcement of your ordinance easier I have incorporated a section providing for licenses. If you wish to have the same provisions without requiring a license strike out all of section 2 and any clause

referring to such license later in the ordinance form.

Ordinance No.

An Ordinance prohibiting the maintenance of barns or stables within the limits of theof....., except as authorized herein.

The.....council of theof.....do ordain as follows:

Sec. 1. It shall be unlawful for any person, firm, corporation, or association to maintain a barn or stable for the housing of horses, cattle, or other live stock within the corporate limits of the.....of....., unless it complies with all the conditions hereinafter set forth.

Sec. 2. Every person, firm, corporation, or association desiring to maintain a barn or stable under the provisions of this ordinance shall apply to the village council for a license for such barn or stable. Upon being satisfied that such stable or barn complies with the provisions of this ordinance, and will not be so maintained as to become a nuisance, the village council shall grant a license, which shall be delivered upon payment of a fee of..... into the treasury. Upon the filing of any application for license it shall be the duty of the.....clerk to notify, by mail or telephone, or personally, the

owners or occupants of premises in the same block as the barn or stable sought to be licensed, and the owners or occupants of any other premises within six hundred feet of the site of such barn or stable. If any of these shall withindays file a written objection or protest against the granting of such license, the council shall set a date for a hearing on the question of granting such license, notice of which shall be given to parties affected. If it appears at such hearing that a majority of parties resident within the same block, or on another block, within six hundred feet of the site of such barn or stable, protest against such license, it shall in no case be granted and in any case the council may refuse to grant such license.

Sec. 3. Any barn or stable maintained in the.....of..... under the provisions of this ordinance shall be, and be kept at all times in a sanitary condition. The floor shall be of concrete, and shall be water tight, and so drained that all stable waters shall pass into the.....sewers. All walls, stall partitions, mangers, or other fixtures which may be made of wood shall be kept whitewashed. Manure shall not be permitted to accumulate about any such barn or stable, but shall be removed not less than once per week from April 1 to November 1, and not less than twice a week from November 1 to April 1, provided, that for the purpose of fertilizing the garden or lawn of such premises, dry manure may be kept in a special tightly covered bin in such barn or stable, after such bin has been approved by the Health officer of the.....of..... Such barn or stable shall be kept clean at all times, and the floor of every stall shall be thoroughly

flushed or scrubbed as often as once a week from April 1 to November 1, and as often as once each two weeks from November 1 to April 1.

Sec. 4. No swine shall be kept within the corporate limits of the..... of.....

Sec. 5. It shall be the duty of the health officer of the.....of.....to inspect every barn or stable maintained in the.....of.....at least once every six months, and to report to the council the conditions found, recommending the revocation of the license for any such which fails to comply with the provisions of this ordinance. Such inspections shall be made from time to time, without notification being given to the licensee. Special inspections shall be made upon complaint of any place. The council may at any time revoke any license granted under the provisions of this ordinance.

Sec. 6. Any barn or stable in theof.....which shall be kept in an unsanitary or unwholesome condition, or which shall be permitted to contain filth, or which shall discharge noxious odors, shall upon resolution of the council or order of the health officer be deemed a nuisance and shall be removed or abated within.... days of notice to the owner or keeper of such barn or stable of such resolution or order. If not removed or abated by such owner or keeper within saiddays, it shall be so removed or abated by the....., and all costs of such removal or abatement shall be assessed against the property and certified to the county auditor to be paid at the next regular taxpaying date.

Sec. 7. The windows and doors of every barn or stable maintained in theof.....shall be kept

screened from April 1 to November 1, of each year, and all cracks shall be closed so that no flies may gain access to any manure or filth in such barn or stable. The presence of flies in any barn or stable shall be regarded as **prima facie** evidence of negligence in complying with the provisions of this ordinance, and if they are present in large numbers such barn or stable shall be deemed a nuisance until rid of them or removed.

Sec. 8. Any person, firm, corporation, or association maintaining a barn or stable in violation of the provisions of this ordinance shall be deemed guilty of maintaining a nuisance, and upon conviction thereof shall be fined not less than.....nor more than, or shall be sentenced to serve not less than.....days nor more thandays in the.....jail, or both. Each day such nuisance is maintained after the day set when it should have been abated shall be deemed a separate offense.

Sec. 9. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

Sec. 10. This ordinance shall take effect and be in force from and after its passage.

WAR TIME IMPROVEMENTS

Question: Our city has planned to extend its water and sewer mains, and to replace our old city hall. There is some talk that we ought to postpone these things until after the war. Could you give us any suggestions?

Answer: Your problem is one which you must settle for yourselves. Perhaps it can be worked out by applying the following considerations: con-

struction which can be deferred without positive injury to the health or efficiency of the city may well be postponed, because (1) resources are needed to fill national demands, (2) prices are abnormally high, (3) labor is scarce; so that if building can be deferred it will be a present help in keeping down taxes and prices, and if done at the close of the war will cost less, and help the demand for labor and materials. But it would be wasteful to postpone improvements upon which the health and safety of the citizens depend. No savings which could be made are worth a typhoid epidemic, for instance. It would appear that the city hall and like projects might be placed upon the waiting list first, and that work should go forward on the water and sewer services.

GARDENS

We believe there isn't a town in Minnesota that hasn't fortified itself against next winter's H. C. of L. by putting together spare time and vacant lots. Here are notes from a few reports that have come in. Space limits us to these few.

Thief River Falls has all vacant lots in gardens, and will insure their uninterrupted growth by irrigating them when needed at practically three cents per hundred gallons.

Alexandria will send the men to the fields in harvest time to make sure the crops are saved.

South Stillwater repeats prize offers of last year, but finds that they wouldn't have been necessary.

Litchfield has plowed twenty acres of Lake park, and furnished seed besides to gardeners.

Nicollet school board has assigned

its lots to boys working under the agricultural instructor.

Menahga has broken up the ball park. Will irrigate gardens with city water.

Scanlon water works irrigates gardens free all summer. And every foot of ground is cultivated.

Atwater is considering arrangements to provide canning facilities for garden produce.

Biwabik furnishes plowed ground, and supplies seed potatoes at cost.

Argyle: Mass meetings have been held, funds raised, committees selected and at work.

Buhl: Garden club organized; executive committee in charge.

Cloquet: Committees at work. Over 200 signed up for plots about 100 feet square. City does plowing.

Eyota: All land taken that is available. Railroads should grant use of right of way.

Fergus Falls: Organizing a public welfare committee to carry on the work.

Kinney: Committee appointed. Mining companies volunteer use of teams for plowing. Talks by gardening experts on programs of patriotic meetings. Co-operating with farmers, and with neighboring village of Buhl.

Little Falls: Census of lots and gardeners has been made. School children organized for the work. Red Cross co-operating. Agricultural teacher is commander-in-chief of food forces. Vacant streets, alleys, etc., will be used.

Parker's Prairie: Garden club and committee working effectively.

Roseau: Committees at work. Encouragement and financial backing provided for farmers needing seed.

Sleepy Eye: Committees organized,

and assignments made for handling census of lots and gardens, seed, cultivation, etc. Domestic science equipment of city schools will be used for canning and preserving food produced by school pupils, and more equipment will be purchased as needed, for all users.

Traverse County: County organization comprehending those of Wheaton, Brown's Valley, and other municipalities.

Virginia: Seventy-two acres of ground belonging to school board available. Vacant lots listed by city clerk. City will do plowing free. Agricultural teacher will be on the job all summer.

HERE IS A GOOD IDEA

The Village of Osseo carries "Member League of Minnesota Municipalities" on its letterhead.

Duluth has completed a new Carnegie library for the West End, which will be ready for a formal opening about June 1. A notable feature of it is a community center room with a seating capacity of about four hundred, for the use of various societies which need a meeting place.

The Mesaba Telephone Company of Grand Rapids has given up its local franchise and accepted the terms of the Act of 1915, coming under the regulation of the Railroad and Warehouse Commission.

The members of the State tax commission have been conducting a series of short schools for assessors and their deputies in the counties of the state.

PRINTED MATTER

Books reviewed in this column may be procured through MINNESOTA MUNICIPALITIES at prices listed. Pamphlet material may often be procured free upon request. All material mentioned in this column is on file in the office of the Municipal Reference Bureau, and will be lent when necessary, without charge.

THE NEW CITY GOVERNMENT

By Henry Bruere. D. Appleton and Co., N. Y. 3d printing 1916. 438 pp. \$2.00.

The last we heard of Henry Bruere he was enroute to Mexico, to set Carranza's administrative machinery in order. He is the man who was for a time Director of the New York Bureau of Municipal Research, and who later resigned the office of Chamberlain of the city of New York for the reason that he considered it of no use to the city.

His book on "The New City Government" is a study of municipal administration based upon the information gathered by the Metz Fund survey of ten cities under commission form charters. Iowa furnished two of the cities, Cedar Rapids and Des Moines; in Kansas the surveyors covered Kansas City, Topeka, and Wichita; in Texas, where the commission form is indigenous, they examined Dallas, Fort Worth, Galveston, and Houston; then they took in Huntington, West Virginia, on their way back to New York.

This Metz survey partook of the nature of a scouting expedition seeking ideas for New York. That city is ever pressed with the need of bettering its administration, and if the western cities had discovered any working ideas Gotham wanted to know about it.

The ideas in the book are not confined to the things found in practice in the commission governed cities. Their

omissions are canvassed as well as their practice, and throughout the book the author draws on other cities for reinforcement which he cannot find in the ten. It is a good book on actual municipal administration, built up on the data from those cities, but not confined to an exposition of their practice. A book of equal interest and value would have been written by Mr. Bruere from data of the same character from any ten cities.

As a commentary upon the commission form as a type of municipal organization it adds little or nothing to what has been said as well before. The book would hardly help a charter commission which was deciding among forms of government. The author says as much when he concludes that charter forms alone do not assure or prevent administrative efficiency. And as administrative efficiency is his aim, he leaves the other subject as soon as he can. His few chapters whose labels might imply an evaluation of the commission form as compared with others do not yield it. It is almost trite now to say that a new broom sweeps clean, and that the commission form was a new broom which might not be of the one best design. It is of course true, and the author's privilege to say it is well based. The book's chapters on administration are well worth the study of a charter commission writing any sort of a charter, and of the council or commission or executives of any city howsoever chartered.

Incidentally, one of the ten cities, Wichita, has just adopted the city manager plan.

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TIME AND MONEY

John Smith would not willingly lose his spare change of dimes and quarters. He puts them together and soon has dollars.

John is not so careful of his spare change of minutes and quarter hours. He lets them go, and there is nothing in the world to show where they go.

John knows his savings bank will hold his spare money for him. He thinks he hasn't any such place to put his spare time. But he has, if he would. It's his head.

John admits that he might know, and would like to know a great deal more than he does. But he has thought it impossible to get this knowledge, since he couldn't afford to go away to college.

John has forgotten that college can always come to him. The U. S. mail will bring him assignments and lessons prepared by University instructors, and will carry back his recitations, to be criticised and corrected as carefully and as helpfully as though he were a student in residence.

If John were to enroll for a correspondence course, he would be accumulating a savings account of spare time which would pay dividends from the beginning.

Write for the new Correspondence study bulletin to

R. R. PRICE, Director

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THE UNIVERSITY OF MINNESOTA

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Organized August 1, 1913

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October 17-18, 1917

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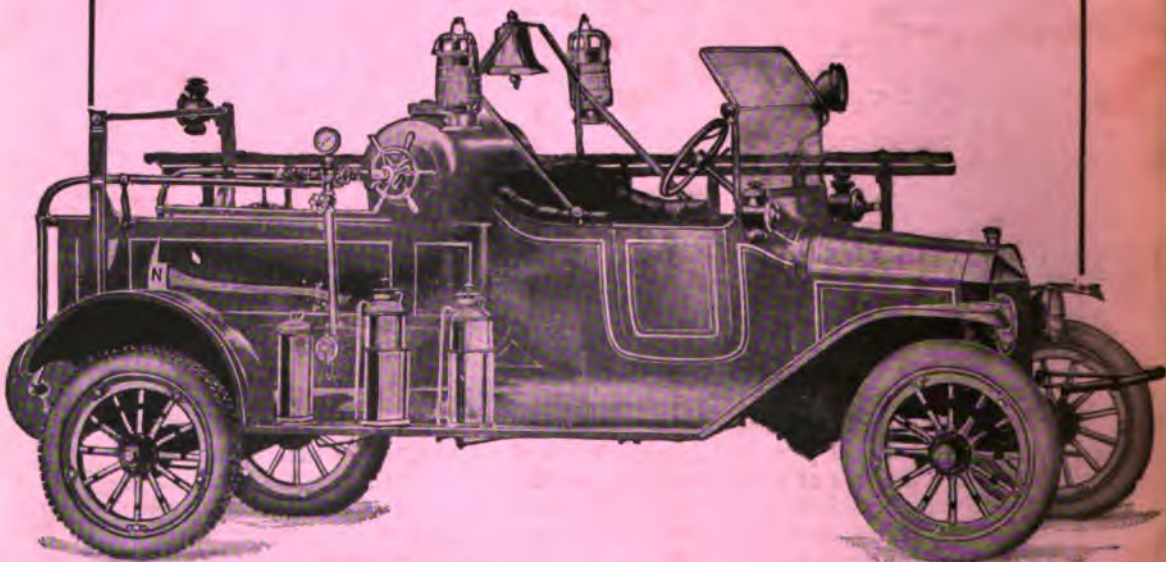
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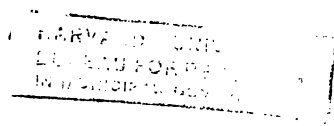
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CONTENTS

The War Time Worth of the League.....	101
Joseph J. Partoriza	102
An Evidence of Membership	102
State and Municipal Civil Service Reform.....	103
Columbus Publishes Its Own City Bulletin.....	114
Franchises and Public Utilities	115
Report of Committee on Judicial Decisions.....	122
Municipal Legislation by the Minnesota Legislature of 1917.....	133
In Memoriam, A. P. Pierce	134
An Epidemic of Septic Sore Throat Due to Milk.....	135
Visiting Nurses and Their Work	138
Information Department—Dogs	142
Printed Matter	144

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Minneapolis, Minn.

FREDERIC BASS, Associate Editor

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The War Time Worth of the League

War adds severe new conditions and imposes new work upon the municipal official. Every resource of information acquires a heightened value. Every superior method and every resulting saving are direct aids to the national cause. Every public body should share the best knowledge of every other, for the common welfare as well as for its particular benefit. At this time the whole country is relying upon cooperative action to achieve its ends. More than ever, then should the municipalities of Minnesota maintain and strengthen their cooperative League to study and cope with their problems. Conference begets knowledge and understanding, from which come true efficiency and economy. City officials are interested in the labor problem now that laborers are scarce, and will be so yet at the end of the war should there occur a period of slack work. City markets may be what is needed to keep down the cost of living. Then city officials want to find out about them. To build or not to build is a question of some perplexity in more than a few municipalities. The cities and villages which get together and work together on these and other such problems will be able to accomplish something. The city which fails to join its fellows will fail to obtain the maximum results of its efforts. The surest way to spell **success** is to begin with practising **cooperation**.

To a Minnesota village or city that means membership in the League of Minnesota Municipalities. Since a year ago some twenty-four municipalities have joined the League. All but a half dozen of the cities of more than three thousand population are now on the League roll. The number of members below that figure is large, but should still be increased. Members now in the League can help toward this end in two ways:

(1) They can work to get their neighbor municipalities to join. It will be taken as a favor to report the names of good prospects to the Secretary's office.

(2) Members can keep up their own standing by renewing their membership promptly upon the expiration of the fiscal year. Statements will be sent out during August of the dues for the year 1917-18, and by the middle of September the most of them should be paid. In that way the League

will know that it stands on firm ground to go ahead with its work for the following year. Promptness is a virtue always; delay in this case will be an affliction to the negligent member and an impediment to the program of the rest of the League.

Joseph J. Pastoriza

Wherever men are interested in work for the betterment of city government there are mourners for Joseph J. Pastoriza, late Mayor of Houston, Texas. Mr. Pastoriza came into national prominence several years ago, while serving as commissioner of Lands and Finance of the city which elected him Mayor last February. He was a thorough believer in the single tax, and practised his philosophy in his official acts. He was not a faddist, nor a mere narrow zealot. Such a one could not have won and held the support of his city as did Pastoriza. After his election to the Mayoralty he threw himself into the task of putting that office and its work upon a better working basis for the public service. In the midst of this task he was stricken with heart failure. His death is dated July 9.

The League of Minnesota Municipalities has a particular cause to regret his loss. Mayor Pastoriza had made a tentative promise to take part in the program of the St. Cloud Convention. If he could have been with us we should have learned and profited much from the account of his accomplishments.

An Evidence of Membership

When the League villages and cities renew their membership this month they will receive a concrete evidence of it. The League is having prepared a certificate of membership, which will be mounted in a neat metal holder of eight by four inches in size. It will be sent to member cities, ready to be hung in the municipal offices. The certificate will bear the date of membership year, and will be renewed annually.

The Federal Government has the task of running our end of the greatest war of history, and it isn't throwing overboard its regular work. Those who are charged with the direction of municipal governments can do no better than to remember and act upon the same principles. There may be less excitement in keeping our own end up, in these difficult times, than in joining

in and adding to the confusion and clamor of extra-jurisdictional war specialists. But the first is an actual job that needs being done, and one not to be disdained by any one capable of patriotism.

Wadena and Chaska are among the municipalities which are working on new charters.

State and Municipal Civil Service Reform *

By Hon. Robert Catherwood

President of Chicago Civil Service Reform League.

I do not pretend to be familiar with conditions in the civil service of your state and cities, far less to gauge public opinion in Minnesota concerning a constructive reform. I purpose only to give a sketch of the types of civil service laws in use in this country and to submit for your consideration one basic idea upon which we rely in Illinois and which you do not have in your law relating to the public service of first class cities.

Eleven states and 306 municipalities of this country now have civil service laws. These laws are of two types, one, the federal type, has been copied in Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Wisconsin, Kansas, and Colorado. It embodies the principle that appointments and promotions in civil service shall be made solely according to merit and fitness to be ascertained by competitive tests. As Carl Shurz puts it:

"According to true democratic principle, the civil service law means that the offices must be open to all citizens according to their fitness to fill them; that they must be **most** open to those who are **most** fit to fill them; that free and equal opportunity must be furnished to all for showing who are most fit, whether they be rich or poor, politicians or no politicians, backed by influence or not backed."

The Federal Type

In procedure, the federal type of law sets up a bi-partisan civil service com-

mission to classify the service into vocations or grades, to engage specialists in these vocations, to recruit applicants and to hold competitive tests. Experience, knowledge, personality, training, education, practical tests of skill, and physical condition are used. Our own thirty-three years' experience with competitive tests has simply confirmed England's sixty years' experience that they are the best known method of filling a public office which is not representative in character, no matter how high or how low that office may be. In England, a seat in parliament is the one thing which exempts a public officer from the civil service establishment and in America we are becoming more and more convinced that only the short ballot offices should be excluded from the classified service.

As President Taft said in 1911:

"Officers responsible for the policy of the administration and their immediate personal assistants or deputies" (that is, the President and Congress and members of the President's cabinet) "should not be included in the classified service, but in my judgment public opinion has advanced to the point where it would support a bill providing a secure tenure during efficiency for all purely administrative officials."

The Secretary of the Treasury said in his annual report for 1910: "Any one, however, who comes close to the practical administration of the federal

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government, or of any other government, soon becomes aware that everything ultimate or final in the excellence of administration must wait upon the complete inclusion of all non-political offices within the classified service."

Its Success.

The success of the federal type of law, lies wholly in the development of selective methods. It operates to set up outside the service at the front door an official practical test of fitness and competency for those seeking appointment. It is a promise but not necessarily a fulfillment.

A More Comprehensive Type

But there is a second type of civil service law. It originated in New Zealand and has been copied by Australia and South Africa. The people of Chicago adopted it by popular vote in 1895. In 1911, it superseded a law of the first type in the Illinois state service. It is also the law of Illinois counties and parks. California and a number of cities use most of it. Of it the Governor of Massachusetts said in his Inaugural Message of 1916:

"I believe that our civil service law, enacted more than thirty years ago, should at once be put abreast of the best standards of the time. The functions of the Civil Service Commission should be extended to scrutinize the efficiency of employees after entrance into the service, to the end that the idle and incapable may be removed, the tone of the service raised, salary and work standardized and that effect may be given to the just complaints of any citizen as to the misconduct or inefficiency of public employees. The Commission must be a thoroughly

practical and vital organization. In order effectively to carry out the suggestions I have here offered, I recommend that the Commission on efficiency and economy be consolidated with the Civil Service Commission and that the consolidated commission exercise the powers which have been conferred upon both boards in addition to those I have just recommended should be granted."

As in Massachusetts, so in New Jersey and Ohio it is felt that the state is not getting the full benefit of the merit system by limiting its use to appointments and promotions only.

In the second type of civil service law, however, the competitive test is merely one feature of a general plan for maintaining efficiency from the beginning to the end of public employment, a subject as distinct and separate from the management and direction of public employees as auditing a bank is from running a bank. These laws rest upon the principle that the public service is the people's service to be used in the people's interest and not in the interest of individuals, parties, or cliques. The elective officers are political, policy making officers. But once the people have adopted a civil service law there is no political issue of policy between good appointments and bad appointments, efficient service and incompetent service, or of influence against equal enforcement of the laws.

The First Provision—Standards

The first provision of such civil service laws is for standards—a measure of what good service is. Each vocation in public service has certain duties imposed by statute, by ordinance, by departmental rules, by the open and

formal directions of elective officers (as distinguished from their secret or back stairs directions), and by the common standards evolved by the vocation itself in private and public service for the measurement of its own members. Collectively these requirements constitute a perfectly definite measure of good service, an official standard of merit for the vocation in any or all departments of government.

The Second—Equal Pay for Equal Work

The second provision is that those who do the same work shall receive the same pay. The legislative committee on appropriations fixes the salaries of grades or vocations but not of individuals. This provision is popular with members of a finance committee because it rids them of personal appeals and saves millions of dollars to the pay roll.

The Third—Seniority Rule

The third provision is that all service preferences shall be given in the order of seniority in service among those who have a standard record of efficiency. The efficiency record is not a judgment mark made by some superior officer, but a unit measure based on output and made by special examiners. I shall illustrate the operation of this provision later on.

The Fourth

The fourth provision establishes a board of hearings and an efficiency division of investigators whose duty it is to apply the merit system to daily work. It is a bureau of public complaints open to citizens and tax payers, as well as to the chief executive and the department heads. The facts are

looked up and the standards of merit applied to them. If the employee has deteriorated, he is removed, or a corrective is applied. If the fault lies in conditions of employment which have made good work impossible or unnecessarily difficult, these conditions are taken up with the proper authority and the citizen gets a copy of the report.

A Citizen's Complaint Handled

For example, a householder observes that the garbage has not been removed for two days. He wants the merit system applied to that case. He need not go to the mayor, for the mayor has more important duties to attend to. He doesn't go to the street department, because one who criticizes the department in the department is apt to encounter a defensive, or an evasive or even a hostile attitude. He goes to the civil service office and asks why the standard of daily removal of garbage is not complied with. The employee responsible for that particular section of street is interviewed. He may show that his cart was broken and that he tried to get another. The thread of responsibility often leads from department to department and clerks in the comptroller's department may be discharged or suspended, because the garbage was allowed to accumulate or because a fire hydrant was out of order.

Again the merit system touches though it does not infringe the field of politics. For example:

The aldermen are quarreling over the apportionment of money to clean the streets of their respective wards. The city administration is said to be trying to defeat certain members by neglecting their wards and to elect

others by scouring theirs. For its own efficiency purposes, the civil service office has long ago classified the pavements of the city. A day's work on one class of pavement is 35,000 sq. yards, on another 30,000, on other 27,000, and on others 23,000. It has recorded the areas in each ward, and arithmetic gives the number of employees required and the total salaries. The standard is used in answering citizen complaints. A report upon the subject sleeps in the files of the city council. But in a year or two a political issue is evolved and is at last raised by the public. Do the people prefer strength to the mayor's elbow or uniform street cleaning? The aldermen, who as representatives of the people are excellent judges of public sentiment, decide the question of political policy in favor of uniform street cleaning. A junior clerk with a knowledge of the multiplication table settles annually the question which once took up months of the council's time and bred hatred and jealousy among the city fathers.

Departmental Co-Operation

The heads of departments who are responsible for policy and for the management and direction of their subordinates usually co-operate with the employment department in its maintenance of the standards of efficient service. Occasionally, however, there are heads who for some passing reason want many men to do the work of one, or who are so easy and tolerant that they will put up with loafers or even graft, or who have no remedy for inefficiency beyond firing everybody concerned. But the harm they can do is

greatly minimized by the civil service law.

Henry Ericson, the Commissioner of Buildings of Chicago says:

"There is no difficulty in discharging ill fitted employes in this department where the civil service commission performs its three duties of furnishing men, checking them up, and ridding the department of bad ones. If I were a politician, I would say do away with civil service, but as an honest man I must say civil service is all right."

Chief Horan, the late and much lamented Fire Marshal said:

"We spend a lot of money in buying good horses for this department, and in feeding, training, and exercising them. If we get a bad horse we sell him. The good ones we keep. I believe in the civil service law because that is what it does for the firemen. It gets us good men. It keeps them up to the scratch. It shakes out the bad ones."

Mr. Carter H. Harrison, who served five terms as mayor of Chicago, says:

"I believe the present method of trial and discharge is open to some objections, but it is so far superior to any other method I have ever known that the objections are more than outweighed by the good."

Mr. W. B. Moulton, who has been for ten years on the state civil service commission says:

"The public cares more about having that part of the state service with which it comes in contact efficient and interested in its work than it does for competitive examinations. We receive citizens' complaints and go after the trouble and that popularizes the merit system. We have always had the cordial support of department heads.

The discipline is stricter and far better than it was under the old law and the chiefs do not have to stand alone against personal or political influence exerted against removal. With the employees the law is popular because it protects them against improper removal and makes them stand on their merit alone. That they are willing to do. We have been through a political turn over without any increase in the normal number of removals. I think we could not have done that without a comprehensive merit system, for the exempt offices do not nearly satisfy the claims of party workers, and a mere eligible list affords no protection."

The supreme court of Illinois says:

"The merit system of public employment is an aid and not an interference with executive power. The power of appointment and removal is not free and uncontrollable and no public officer should appoint men to subordinate positions in his office unless they are qualified to perform the duties of such positions. The civil service act is based upon the principle that positions in the public service are not the personal or political perquisites of any officer or party, and ought not to be divided as so much loot, but that merit, fitness, and competency ought to be the standard for appointments, promotions and removals in the public service. It was to do away with the curse of the spoils system that this act was passed by the legislature of the state. The manifest purpose is to increase the efficiency of the public service in order that the state may obtain its money's worth in the service rendered."

Procedure and Operation

Let me illustrate the procedure and

operation of the civil service law in one of the most difficult grades of service physicians and surgeons in the largest hospital in the country—the Cook County Hospital, where 54,000 patients a year are treated.

The work of standardization which the Civil Service Commission must undertake falls primarily upon the efficiency examiners, but the finer interpretations of conditions and the professional discriminations are made by three of the leading doctors of the city, who assist the examiners. They are citizens working two nights a month and serving without pay.

The standard recognizes that the recovery of a sick man is the joint achievement of the doctor, the interne, and the nurses. It therefore scores the joint work of a team in charge of a unit of fifty beds.

When the committee meets to measure the work of the hospital for the current month, the records of all the fatal cases and the post mortem findings are laid before it. The committee checks the bedside diagnosis against the autopsy, studies the treatment and marks with a statement of reasons "Good," "Fair," or "Poor."

Presently, let us say, the committee directs the insertion in the monthly letter of comment sent to the ninth unit of Medicine, of a statement that its diagnosis of a certain case was **delirium tremens**, but the autopsy showed a broken skull; hence a deduction of so many points. Or, it may be ordered that the letter to the second unit of surgery state that case number so and so was too long upon the operating table; an explanation and the return of the record for further action is desired. Or, in the third unit of Obstetrics a

case of infection is noted and penalized; severe comment is made that in a maternity case infection is inexcusable. Or, the committee may note some exceptional skill, give credit, and ask that the case be written up for publication.

Then, ten cases taken at random from the files for each unit are submitted to the committee and likewise marked and commented upon. The standard is at hand and it is decided whether in these records it has been followed or not. The first factor of the Standard is Completeness of Record; the forms must be filled out or the reason for blanks appear. Is there an adequate account of the present complaint, the patient's past and family history? Was the examination on admission thorough and adequate? Did the nurse keep up her records? Did the doctor make his rounds with sufficient frequency? Is there proper note of the patient's progress? Is there an adequate and complete summary of the course of the case while in the hospital, and a complete description of the patient's condition upon discharge? Is the account of laboratory findings adequate? And taken as a whole are there any material omissions as to time, order, observations, or treatment?

In marking under this point the letter of comment to a certain unit may say, in polite language, your diagnosis was mere guess-work, and you had no right to come to a conclusion without a blood culture or a urine analysis. A just criticism made by the recognized leaders of the profession upon the work of a unit under the direction of one who is himself a specialist is very effective.

Again on the point of the efficiency standard called "Standardized Clinical

Observations" it should be noted that there are hundreds of diseases and ailments which are treated step by step and always in the same way. The treatment is a formula. On the third day with rising temperature you do this and with no temperature you do that. Every move has its counter-move as in a game of chess, and if a mistake is made it looms large and failure can be traced accurately. The standard schedules these treatments and the efficiency committee marks and comments upon the records of cases of this character.

The examiner may then submit for advice from the committee some difficult point raised by the chief of some unit in reply to last month's letter of comment. One of his nurses he suspects is no good, she handicaps him, and so he wants help in preparing charges for her removal. Another chief says that a debit given his unit because of the omission of a laboratory finding was due to the fact that an expensive machine was not in use because a small repair part was broken. An operation was unduly prolonged because an anaesthetizer was absent contrary to the rules. An X-ray was not taken because there were not enough operators on duty to take care of the accumulation of work. A stream of defects in operation and equipment, organization and management, and derelictions in other grades are thus brought to light. They are investigated and if verified put up at once to the department head, the supervisory officer, the purchasing agent, the commission's own removal board, the civil service commission, or the chief executive, according to their nature and the jurisdiction of the remedial author-

ity. Three of the points of the standard are marked by the efficiency division alone. "Attendance" on the part of chiefs of units,—forty-five hours a month, not more than twenty-four hours elapsing between any two visits—with a weight of five out of 100; prompt attention to patients, predicated on the standard that every patient must have his first examination or treatment within six hours after his arrival in the ward—with a weight of five; and "Inspection of equipment", predicated on cleanliness of the ward, sanitary conditions, presence of articles of equipment required by the schedules all in good condition—a weight of three.

Two of the points of the standard are marked by the head of the department—observance of the rules and discipline of the Hospital in matters not requiring the exercise of his power of suspension from duty for thirty days or less nor the filing of charges before the investigating board. This point has a weight of ten. The department also marks "Satisfaction of Patients" with a weight of two, based on reports of the social service or welfare workers concerning what they regard as legitimate dissatisfaction of patients with the service of a unit or an individual in particular lack of kindness, courtesy, or respect.

A credit of from one to ten points is given for ordinary research work in county hospital cases resulting in publication. And there is a credit for attendance at meetings of the whole hospital staff.

Each month, an efficiency examiner translates all of these marks into percentages, enters them on record in the civil service office and posts them in

the department. The letters of comment on both achievements and mistakes go privately to the chief of each unit, but copies are open to the inspection of all members of the unit. When a monthly rating falls below 70 per cent, the unit is sent to the removal board for investigation and disciplinary action.

One attending man whose record fell below standard promptly resigned. In the last three years, for example, about two per cent of the medical service staff has been removed by the investigating board.

How the System Is Regarded

And how do the members of the staff and interne body regard the efficiency system?

Some years ago Dr. Joseph A. Capps wrote for the press as follows:

"When the efficiency rating system was first established about a year ago, it was regarded with suspicion and hostility. I so regarded it myself. We thought it rather absurd. But after working under it for a year, I feel sure that the members of the staff without exception heartily endorse it. It has brought about a friendly rivalry among the service units, which has as a matter of fact, kept us all up to higher efficiency and better work than ever before. Under this system the medical services have made greater progress in the last year than in any other five year period since I have been connected with the Hospital."

Dr. E. Wyllys Andrews is quoted as saying in 1913:

"The installing of the efficiency system in the Cook County Hospital has been the greatest forward step in the development of the institution. Too much importance cannot be attached to

the value of this system in raising the efficiency and morale of any public hospital."

Dr. Channing W. Barrett is quoted in the press in 1914 as follows:

"Concerning efficiency markings of the Attending staff and internes of the Cook County Hospital, I would say that while minor objections are sometimes raised, it has no doubt greatly improved the standard of work done. **First**, it has made the record of attendance probably the best in the history of the Hospital; **Second**, it has emphasized the duty of the staff to the patient; **Third**, it has put a premium upon the patients' recovery, but has emphasized the duty of the staff to science, if the patient dies, in calling for post-mortem work; and **Fourth**, it has improved the grade of observations made and the completeness of record."

"The efficiency system," says Dr. A. L. Hoyne, "has improved the service a hundred per cent. over what it ever was before. The men in the contagious disease services are all satisfied with it. Before it was put in, I don't think we took enough interest in the details of the work of the internes and nurses with us. But now we have a right to speak about the work of others with us. Occasionally, the internes grumble, but the patients of the Hospital have gained enormously."

The President of the Consulting Staff, Dr. Joseph L. Miller said in 1916:

"After the Cook County Hospital was put under civil service there was a period of time when the law was not lived up to, and while the conditions were very much better than they had been under the old method of political assignment, still conditions were far from being satisfactory. Then after

our system of efficiency was established—I say so unhesitatingly, from that time on has begun the development of the Cook County Hospital until at the present time I feel very certain that there is no large private hospital in this city of large hospitals where the patient gets the care and skilled attention he gets in the Cook County Hospital.

Times Have Changed

I have been turning over the old files of newspapers at the Public Library of 20 or 25 years ago, before there was any civil service law. Let me omit names, but paraphrase the head lines. I read:

"Brutes at the County Hospital—Statement by Dying Woman"; "Democratic Candidates Promise to Make Removals"; "Body Snatching at the County Hospital."

"Job Goes to Dr. White of the Nineteenth Ward"; "Legislative Investigation—Majority Report Shows up Scandals—Minority Report a Whitewash"; "Democrats Condemn Republican Misrule—Hot Shot for the County Hospital."

Twenty years later, the headlines are still screaming and the county board is described as playing rampagious politics but the subject matter shows a vast change. "Wealthy Patients in the County Hospital—Outrage upon the Taxpayer"; "Warden Specials — County Commissioner's Wife Confined in County Hospital"; "County Commissioner B. Charged with Sending His Brother to County Hospital"; "Row on the County Board—President M. Promises Rigid Enforcement of Rules—Warden Removed for Honoring Commissioners"

Admission Cards"; "Salaried City and County Employees Barred from Hospital." Then comes the election and we read of a vote restoring the validity of commissioners' cards of admission to the county hospital. All this seems to be the best unsolicited testimonial which the merit system could have.

In April, 1915, Mrs. Ira Couch Wood, the wife of a prominent doctor of Highland Park, Illinois, and herself the President of the Board of Trustees of the Illinois Training School for Nurses, testified under oath, before His Honor, Judge Windes, that the service at the Cook County Hospital was equal to that of any private hospital in Chicago. Questioned by the court, she said the sick poor of the county were as well cared for as the patients in the most expensive private hospitals, though they did not have the same luxuries. Further questioned, she said that if she herself were sick and could gain admission, she would be quite willing to go to the Cook County Hospital for treatment. I think the merit system is worth something in hospital service. In my humble judgment, that is the most difficult of all services to handle.

The Merit System and Political Careers

There is no man in public life in America today who is competent to meet the larger issues in politics who does not know that the civil service laws are directly in the interests of his true career. They free him; free his hands; free his judgment, free his brain, free his independence from all those annoying and degrading duties of peddling out offices instead of perform-

ing service. No large career can be built today on job brokerage.

And our country—the witness of an awesome dramatization of the power of organization and efficiency in the career of a great nation across the water—is faced with new problems. Her federal service is six hundred thousand men and women, to which is added annually forty thousand new employees. Her state and municipal service is more than two millions in regular employment and another million in occasional and temporary service. The people want efficient democracy, and though the road to it be long and difficult, yet it must be traveled.

We have made a mere beginning. Yet in my state 421,000 electors, all of the legislative districts, and all save one of its 101 counties have placed themselves on record as supporters of the merit and efficiency type of civil service law.

DISCUSSION

Pres. Nichol森: Gentlemen, the topic is open for discussion. Have any of you any questions to ask while Mr. Catherwood is still on the platform?

A Delegate: I should like to ask Mr. Catherwood what the consensus of opinion seems to be with respect to having the common laborer under the classified service.

Mr. Catherwood: I have always felt that there was no such thing as common labor; in fact if you will read some of the books on efficiency you will find they state that the one thing you want to teach a man is that he is the whole thing. He may be a janitor who scrubs the floor, but if you are going to get efficiency in his service the great thought to implant in his mind is

that while the county can get along without commissioners and the city without a mayor, they cannot get along without a janitor to scrub the floors. In other words, the more you make him feel his job is important, the better. You ought therefore to treat common labor on exactly the same principles as you would treat the head of a big department. Of course the methods used would be different, but the civil service principles and the application of all the provisions of law are, I think, the same for what you are pleased to call common labor, as they are for high administrative service. Does that answer your question, or am I—

Delegate: Why, it does in a way; and yet of course the question seems to be whether it is advisable to include what we term common labor under civil service. Some have them under civil service and some do not. There are some differences of opinion throughout the country, and I wanted to know what the consensus of opinion was in that respect.

Mr. Catherwood: I am aware that most civil service laws exclude the common laborer, but our civil service laws do not. The examination for a common laborer would be a very, very simple one. The simpler the better. But you have to make the man feel that he has the protection of the law, that when the salary question comes up he is on a par with everybody else. I think the great principle of treating them all alike is very much more important than the minor inconvenience of sometimes having to do a little more examination work than you otherwise would have to do.

Mr. Swinnerton (Hibbing): I would like to ask the gentleman who ap-

points the Board of Examiners?

Mr. Catherwood: You know there are many kinds of boards of examiners. Now what kind have you in mind especially?

Mr. Swinnerton: I had reference to what officers of the state would appoint the men who would have charge.

Mr. Catherwood: The Civil Service Commission makes its selection of men to hold examinations. An examination of course consists of a lot of parts. In our state we use what we call the specialists in the vocation, in making our standard. For instance, if we were to hold an examination for a city architect, we would get the three best architects we could find, sometimes go down to New York and get a man as a special examiner. We always try to get the best man we can in that line, in that vocation. He standardizes that work. Now when you have a standard, that tells you pretty closely what the examination is going to be. Now there are certain things that your own staff would mark, certain papers. For instance, we have our own doctor. He would attend to all the medical examinations. Experience is marked on the standard, and that is done by a clerk. But when you get on knowledge and mental tests, that might be done perhaps by these efficiency examiners. They are all appointed by the Civil Service Commission.

Mr. Swinnerton: The point I tried to get was this: You said that if you wanted to examine a man for a particular department that you would select some individual. The point I tried to get at is the power behind the throne, who these parties are that you speak of as "we select this man and

the other man." And the other point is how is it possible to eliminate all phases of politics in that system?

Mr. Catherwood: Well, there isn't any difficulty at all with politics, as long as you do not start out to select on any representative principle. I think a civil service commission that appoints its examiners on a representative principle at all is lost. That is, sometimes people will say to you, "Now this is a charity job; why don't you put on a Catholic, a Protestant, and a Jew? Wouldn't that be fine?" Well, keep away from it, it is dangerous. The thing to do is to appoint some man who is recognized in that vocation. And of course some appointments are not good appointments, but where all of your examination papers are public, as they are with us, any man can see his own paper and the papers of all who pass the examination, and they will come into the office and take some fellow's paper off the eligible list, and their own paper, and they will say, "Why was he marked this way and I marked that way?"—and compare them like that. That publicity, I think, is something of a safeguard. But we have no trouble with politics. They are fighting the civil service commission in Chicago right now, hammer and tongs, the Reform Association is fighting them, but I have not heard anybody say the examinations were crooked. Even their enemies feel that there is no politics in their examination.

Pres. Nichol森: Mr. Catherwood, following Mr. Swinnerton's question, in Chicago you desire to have a new architect, and you have a civil service examination for him. Who appoints the examining board?

Mr. Catherwood: The Civil Service Commission.

Pres. Nichol森: You have a special commission that appoints all these different boards?

Mr. Catherwood: It is responsible for their work.

Pres. Nichol森: And who appoints the Civil Service Commission?

Mr. Catherwood: They are appointed by the Mayor, or the Governor, or the president of the County Board. He appoints for long terms, you know.

Pres. Nichol森: So that the final power lies with the mayor, the governor, or the chairman of the County Board, in appointing the Civil Service Commission?

Mr. Catherwood: Yes.

Pres. Nichol森: And that commission appoints the examining board?

Mr. Catherwood: Yes.

Mr. Borgen (City Clerk, Duluth): I want to say that I am thoroughly in favor of civil service, and as I served on the civil service board of Duluth for some years, I am familiar with the work of it. In Duluth we have several departments and a number of clerks in each department. Each of these clerks has his different duties to perform. There is nothing that they do by which you could make a comparison of their work. While the vast majority of these employes are efficient, there are one or two here and there that really are hanging on by the skin of their teeth, and when their time for promotion comes, the oldest employe gets the promotion. In some cases it ought to go to a younger and more energetic man. I would like to know if you can suggest some scheme whereby this one condition could be

eliminated. Outside of that I am very much in favor of civil service.

Mr. Catherwood: There is a lot of difficulty along that line, but I think the key to that difficulty is to get away as much as you can from the idea that you are examining a man for a particular or special job. You know the tendency of a department head is always to tell you that his work is, in some way, very, very special, in some way very peculiar and altogether different from this other department. Now I think you have to get away as much as you can from that idea and emphasize the fact that your grade is a vocation and that the man you let through your examination has got to be a good enough man, who with probably short experience actually in the job is going to fit himself and educate himself to that particular place. In that way you keep a man from growing stale. Now I think it is just as much injustice to the man to allow him to grow stale on the job and to get down into a rut as it is to the public service, and that is something you always have to fight out. Now as to the question of promotion, I take it your law is the first-class city's law of Minnesota; isn't it? You don't hold a promotion examination?

Mr. Borgen: No.

Mr. Catherwood: Well, you see that is different. Now we have a competitive promotion examination. We do not promote a man on his record at all. He has to come in and take the regular examination, in fact we will hold an original entrance examination and promotion examination together, and they will answer the same questions. The only difference is, there is a credit of one out of ten given on his

efficiency record, which he gets, which is a preference over the outsider, which gives him an advantage. I think those two things—the promotion examination and a careful getting away from the idea that you examine for positions, and the emphasis of the idea that your examination for vocations will do the same thing.

Mr. Borgen: We have the competitive tests for promotion in the fire and police departments only. In the clerical service the promotion goes to the oldest man.

Columbus publishes its own City Bulletin

The "City Bulletin" saved Columbus, Ohio, \$8,200.67 in 1916. That is, it cost the city that much less to print its own paper than it did to buy newspaper space for public advertising in 1915.

The City Bulletin is a well printed, well got up sheet, through which the city publishes its council proceedings, ordinances, resolutions, advertisements for bids, departmental reports, etc. A few columns are devoted to important news of municipal interest.

The saving to the city is not all represented in the eight thousand dollars, for the expense account includes the salary of the supervisor, much of whose time is given to preparing the material for the printer. This would have to be done even though the matter were published in the newspapers.

The supervisor is likewise in charge of the municipal reference library of the city, which is developing into a most valuable institution.

Do you know someone who ought to subscribe to Minnesota Municipalities?

Franchise and Public Utilities*

Hon. John T. Kean, Alderman, Minneapolis

Chairman of Committee

It is true, I think, of every municipality in Minnesota that the question of a public franchise or a public utility for any city is always local in its character. If, for instance, some of the smaller cities in the state are reaching the point in their growth and development where they need an electric light plant, or gas plant, or a street car service, and the question of a franchise comes up, they are meeting conditions there which are entirely different from those which would prevail in a large city where an established public utility, with a going-concern value, whose franchise is about to expire, is asking for a renewal of it. In the young city, you have to encourage capital to go into an enterprise which is an experiment from its very character and nature. In the framing of the first franchise, you have to offer such liberal terms and concessions as will invite capital to go in and establish in your city, for instance, an electric light plant, or a gas plant, or a street railway line, as the case may be. On the other hand, when it is a case of the expiration of a franchise in a large city, where it has an actual tangible going-concern value, where it has passed the experimental stage, where it is declaring dividends all of the time, and its franchise is about to expire, and the question comes up before the law-making body and before the people of that large city as to the terms of that new fran-

chise, it has to be handled from an entirely different point of view. In the olden days they used to issue franchise to public service corporations practically upon the terms that the public service corporations wanted. Now it is recognized that these are in a sense public servants themselves, that the right to use the streets and alleys of the city is one which is conferred upon them by the people of the city, and there is a reciprocal obligation resting upon them to render back to the citizens and to the tax payers of that community an adequate return for the concessions which they have received. So, in the more modern franchises that have been drawn up, they have been drawn up along these lines: First, that the municipality at all times must control, and must retain such control, such supervision, over the operation of the public utility—supervision over its books, and the manner in which it conducts its affairs, supervision over the salaries that it pays to its officers—that they cannot, by the payment of large salaries, evade the payment to the people of a just proportion of their earnings. Second, they must provide for the encouragement of capital, and for honorable and square dealing with the stock-holders, scattered over the country, who own the public service corporations. They must also provide in the franchise for

*Discussion at the Fourth Annual Convention, League of Minnesota Municipalities, October 18, 1916.

a fixed return upon that investment, so that the corporation may know and the bondholders may know that they are going to get an absolutely fixed return upon the capital which they have invested in that public utility.

There are two franchises of somewhat recent origin, similar in a few particulars, and yet in their differences they clearly outline a question which is just as politic to the small cities of Minnesota as it is to the big ones, and I am going just briefly to touch upon those phases of those two franchises—one in Cleveland and the other in Chicago, and then I am going to leave the question with you gentlemen to determine which one, if you lived either in Cleveland or Chicago, you would prefer. It is a question which must come before the people of Minneapolis, and as a member of the council committee on street railway extensions it is a question which I myself must determine, along with other members of the city council, in framing a new franchise for our street railway up there.

In the city of Cleveland they have a franchise which comes just as nearly as possible to being a cost-of-service franchise. That is, a street railway system run, operated, controlled, and supervised upon a cost-of-service basis as nearly as can be ascertained. The situation is this: They have a three-cent fare, and you have to pay one cent for a transfer; if you haven't the pennies you must pay a nickel. First, they have a commissioner. When I was there in November it was Jacob Witt; he was the commissioner; he had practically arbitrary and dictatorial control over the street railway company, and they were mere opera-

tive agents down there. Under the franchise they got six per cent on the established valuation of their plant, and that was all, absolutely all. They could not buy a load of ties, they could not buy a new car, they could not invest one dollar in rolling stock of any kind, character or description, without the O. K. of Jacob Witt, the Commissioner of the Street Railway affairs. Furthermore, the franchise provided of course that overhead expenses must be paid, maintenance charges must be met, and six per cent, and then the rate of fare put so low that revenue would stop there. Well, the result was, and the result is, that street car service in the city of Cleveland is not the best, because it makes no difference to the street car company whether the service they give to the people of Cleveland is a good service or a bad service since under the terms of their franchise they get a fixed and guaranteed return of six per cent on their investment.

Now let me briefly refer to the Chicago system. It has its critics, it is true, but some of the provisions in the Chicago franchise are mighty good. Some nine years ago, when Chicago took up the question of a new franchise, it was settled upon this basis: First, out of the gross earnings of the road must come the overhead charges, maintenance charges, running charges, taxes, and everything of that kind. These come out first because the important and essential thing is to maintain the system, which must be kept in as high a degree of efficiency as possible. Then on top of these there is another proportion which comes out, such as extension charges for the enlargement of the system, to meet the

growing demands of Chicago. Then on top of that, the street railway company gets six per cent upon the fixed valuation of that plant, and there comes the difference between Chicago and Cleveland. All the rest of the money that comes in is divided upon this basis, 55 per cent to the treasury of the City of Chicago and 45 per cent to the street railway company. In Cleveland, with no control, no supervision, no regulation of their own road, no incentive or inducement to run the system right, they get a guaranteed return of six per cent on their investment. In Chicago, after running and maintenance charges and extension charges are paid, they get a guaranteed return on their investment, and then as an inducement to run that system right and to run it for the best interest of the people of Chicago, their franchise gives them 45 per cent of what is left, and the city of Chicago gets the other 55 per cent. That was eight or nine years ago. Chicago has accumulated nearly \$20,000,000 from her 55 per cent, her proportion of the net earnings, after all of these other items of expense are taken out. Now I call that the tax payers system, because the tax payers in Chicago will get the benefit of that \$20,000,000 accumulated, while down in the city of Cleveland I call it a car rider's system because the car rider gets it, because he gets his car ride at cost of service, three cents if he has got the pennies, and one cent for his transfer; in Chicago it is five cents, it is always a nickel, with a universal transfer wherever you go, and you don't have to bother with five pennies.

Now there is the question which is coming up in Minneapolis, and it is

coming up in the other cities of the country—whether an absolute cost-of-service system is the right system, or whether a modified form of the cost-of-service system is better. In other words, the Cleveland system, where the company does not care a continental whether it does well or does poorly, or the Chicago system, where it gets 45 per cent of the net earnings besides the interest on its fixed valuation, and the city, the taxpayers of the city, accumulating in turn some \$20,000,000 during the brief time that the new franchise has been in operation.

It is the trend of the modern franchise to contain within itself proper supervision and control by the law-making power, because, since they serve the public, the law-making power will insist that as the city grows extensions shall be made, that the service shall be good, and that all of those provisions and regulations and requirements essential to protect the rights and safeguard the interests of the people are put into the franchise. But in addition to all of those supervision questions, there comes this other question—whether it is to be the car riders system, as adopted in a cost-of-service plan, like the Cleveland plan, or the taxpayers system in Chicago, and I should like very much to have you gentlemen say something one way or the other upon that question. Now I have made no preparations to come before you with a paper today, I have just briefly, in my own way, outlined my ideas; I hope it has been of sufficient importance to attract your attention, and I hope you will find something in it which will lead you to discuss it.

DISCUSSION.

Pres. Nichol森: The topic is open to discussion. Have you any questions to ask Judge Kean while he is upon the rostrum?

A Delegate: I would like to ask the judge if the city of Cleveland guarantees out of its treasury six per cent to the street railway company, or does it permit the street railway company to earn by its operations up to six per cent?

Judge Kean: While not presuming to know definitely, my recollection is that the city of Cleveland does not guarantee the six per cent, but it has what you might call a barometer of prices, to meet any deficiency which might arise, when it first went on a three-cent basis, it provided for a certain fund, and then the company sells street car tickets upon a certain basis, and if the amount of money that comes in is enough to meet all of these items of expense and still leave a surplus—that is, if they have not got down to a cost-of-service basis—they are supposed to lower the price. If, on the other hand, they find there is a shortage, this surplus fund is supposed to cover that shortage, and they increase the street car charge until it brings in a sufficient amount to carry all of those expenses. Now when they first started out they found they were running behind. They are now running on a three-cent fare, with one cent for transfer, and I understand now are getting along and are paying the company the six per cent on its investment.

A Delegate: The people are satisfied with it, I understand?

Judge Kean: They are, and they are not; there is some complaint down

there, quite a bit in fact, and I don't regard the service in any sense as good as the service we get in Minneapolis, and yet it is better than it is in some other cities.

A Delegate: As good as in Chicago?

Judge Kean: I would not say that. There is a difference of opinion. I have been told that the street car service in Kansas City is absolutely rotten, and others have told me that the street car service there is splendid. It is always a matter of opinion among people as to whether the service is good or bad.

Mr. O. H. O'Neill (St. Paul): Along the line of whether the consumer should get the benefit of the economy of operations, or whether it should go to the municipality, we have an example closer at home, in reference to the gas franchises of St. Paul and Minneapolis. Under the franchise of the gas company in St. Paul, it is required to pay a gross earnings tax of five per cent into the city treasury. It means substantially this: that under similar conditions, assuming that St. Paul has the same service per mile of main, and the conditions are similar to those in Minneapolis, that gas in St. Paul would always be about five cents higher per thousand cubic feet than in Minneapolis, and that the consumer is paying this additional five per cent for the benefit of the general tax payer. Now there may be some justice in that, but it does not appeal that way to the people of the city of St. Paul, and it does not tend to give us the same advantage, for instance, in furnishing gas for industrial purposes, as obtains in the city of Minneapolis.

Now, as to the street car proposi-

tion; it is really new to me, I have not given it any consideration, but reasoning by analogy from the fixed opinions we have in St. Paul in reference to the gas franchise, I think the Cleveland plan is more just to the fellow who rides and who is the supporter of a street railway company. He should get the benefit of any economy of saving in operation.

Mr. E. G. Strom (Two Harbors): I would say they are both wrong. Our public utilities should be owned by the public and operated under the civil service system which we have heard discussed this afternoon.

Secretary Price: I should like to add one observation, as a citizen interested particularly in the Minneapolis street railway system. It seems to be the practically unanimous opinion of all travelers that no other system in the United States compares favorably with the system in the Twin Cities. I have traveled somewhat in the United States and abroad, and I am free to say, while I have lived in Minneapolis only three years, and speak as an unprejudiced stranger, that I have never seen a street car system anywhere that is fit to be mentioned in the same breath with the system in Minneapolis and St. Paul.

The question arises as to whether people are not better satisfied when they pay a nickel for a ride on the cars of a system that is so well managed, that caters so thoughtfully to the public, that always keeps its cars clean, that is so very careful to avoid accidents, and does all those other things which make for what we call the general satisfaction of the public, than when they pay less money for the service of a system that is always run-

ning close to the ragged edge as to the maintenance of system, the making of extensions, and so on.

The thing that appeals to a comparative stranger in the Twin Cities is the total absence of arrogance, which is so noticeable in other places in the dealings of the street car people with the public. Now that may not be true everywhere in the United States but it is noticeably true in a great many places, particularly in Kansas City. The arrogance with which they treat the public is noticeably absent in the management of the Twin City lines.

While we might not want to go so far as to put them on a cost-of-service basis, I have often wondered why some attempt was not made at a compromise between the two methods; in other words, why, in the pending franchise in Minneapolis, something of this kind was not proposed—not a three-cent fare, but something a little more remunerative. Anyone who sees the annual reports of the Minneapolis street car system probably knows there is room for some division of profits with the public. If not a three-cent fare, why not say six tickets for a quarter, thirteen tickets for fifty cents, twenty-seven tickets for a dollar? That is a long ways from a three-cent fare, and yet it comes a little way towards Mr. O'Neill's contention, that instead of the enrichment of the general treasury of the city, the riding public is entitled to a reduction. The placing of this surplus in the general treasury of the city does not, some way or other, appeal to the people, because the amount is distributed in such a way that the people feel they do not get the benefit of it. The benefit of the reduction in fare should, in my

judgment, go to the man who carries the dinner pail, to the laboring population. To them this reduction would mean something, while a large amount in the treasury means nothing. There may be valid reasons urged against the proposition I have suggested, but it has often occurred to me that there should be some slight reduction in fares for people who want to invest fifty cents or a dollar in street car tickets. The great traveling public would still drop in their nickels and the very fine street car system, in whose maintenance, in the long run, we are all vitally interested, would be kept in its present high state of efficiency.

Mr. O. H. O'Neill (St. Paul): Mr. President, the remarks of Prof. Price have suggested to me the question, Why is it necessary, in granting a franchise to a street railway company, to fix an absolutely flat rate of fare? Under the charter of the City of St. Paul, the council is required to retain the right to fix the rates that shall be charged for service by all public utilities. Now, the street railway company secured its franchise in 1889, and does not come under the provisions of the charter, but the gas company and the electric company, and, up to the time that they surrendered their franchise, the telephone companies, are subject to that regulation. If that rule is fair and just and works out all right so far as these public utilities are concerned, why, cannot it be applied to street railways just as well? When the legislative department of the city is of the opinion that the earnings of the street railway company, under the rates which it is then charging, are unduly large, it could exercise its power

of re-fixing and reducing the rates. Now there may be practical objections in that matter, so far as street railways are concerned, differentiating them from other public utilities, although such objections do not suggest themselves to my mind just now.

A Delegate: Mr. President, this thought must be borne in mind, that the Cleveland proposition really means four cents instead of three cents, because I think the benefit that the public wants, and which is the most beneficial, is the universal transfer. If you want a transfer there you have to dig up a penny to get it, or else pay a nickel. I have ridden on the street cars in Cleveland, and, to use a common term, their service is rotten. I have talked with people there, in fact I have some very intimate friends living there, and the objection they have to it is this penny proposition. They say they should arrange to give them tickets and then give them transfer. Some of my intimate friends who formerly lived in Minneapolis always speak about the universal transfer system that we have in the Twin Cities. The proposition presented by Prof. Price is now in vogue in Washington, D. C.; there you can buy six tickets for a quarter, in fact the conductor will always ask whether you want tickets when you hand him your money, especially if you hand him a quarter. I believe that that system would be a good system to adopt in the Twin Cities. But one thing we should never get away from is the universal transfer.

Judge Kean: I would like to call attention to one thing in connection with that one proposition. Any merchant who endeavors in good faith to

sell his goods to the public on a cost of service basis, is obliged, frequently, from many causes, to change his prices. It must be so. And a man is inviting financial disaster who, unless he knows absolutely that from year to year the price of a raw product is going to remain the same or the price of the manufactured article is going to remain the same,—that man is inviting financial disaster who, in dealing with the public, would put everything upon a cost-of-service basis. Now think of a great street car system, reaching in all directions through the city, employing thousands of people, and endeavoring to do business on an absolute and exact cost-of-service basis, with absolutely no margin for any little disturbance in the market that might come along, with absolutely no margin to meet the increased price of steel or structural material, or anything else that may be needed. The point is, gentlemen, that it is too hazardous. It is not secure. It is not founded upon good, sound, solid business principles. It does not promote efficiency. Now, on the other hand, as the gentleman said, in Cleveland, if you have not pennies to get a transfer, it really means four cents, while in the Twin Cities and in Chicago it is always one price. The material out of which street car rails is made, or cars, or anything else, may go up or may go down, but the fare is always a nickel and there is always the universal transfer. Now, I think Prof. Price struck a pretty good note when he said some concession in a small way should be made to the car rider. But I want to call your attention, gentlemen, to this fact, that while the car

riders themselves, many of them, live in the city, the tax payers of the cities are the ones who maintain the burden of city government, and consequently, under the Chicago plan, for instance --here is a great fund of money accumulated and it goes for the benefit of the tax payers of the city, the men who are there in season and out of season, bearing and paying the burdens of taxation and maintaining their city. A provision could be made, for instance—and it is quite a serious problem in Minneapolis—our street question there—if provision could be made, for instance, that out of the net profits the City take 55 or 65 per cent the money could go into a fund for the upkeep and maintenance and the repair of our paved streets, or it could be divided up for several specific uses, so that every tax payer of the city would know and realize that the surplus earnings that came to the City from the successful operation of the street car system, would be expended in some particular and specific direction, for the maintenance of hospitals, for the benefit of the poor of the city, or in the maintenance and the upkeep of paved streets, the taxpayers then would realize that they were actually getting something out of it, and in addition to that the general traveling public would always be sure of the universal transfer, and whether material went up or down the fare would always remain a nickel.

President M. L. Burton of the University of Minnesota will address the convention of the League Wednesday evening, October 17, 1917.

Report of Committee of Judicial Decisions*

Submitted for the Committee by

Hon. J. O. Peterson, City Attorney of Albert Lea, Chairman

For interpretation of the laws that govern the administration of municipalities within our state we look to our supreme court as this court is in nearly all instances the final interpreter of our statutes and common law. Some questions of law affecting our cities and villages get into the Federal courts, but such cases are not numerous, especially during any one year, and hence it is to our own supreme court decisions that we look for guidance in the discharge of our duties as officers of Minnesota municipalities.

During the past year a considerable number of cases affecting the rights of cities and villages have been decided by our supreme court, and we will try to bring out the points of law involved in each case with sufficient statements of facts where required to make the legal propositions clear.

As to Preferential System of Voting

Smallwood vs. Windom, 155 N. W. 621, is one of the cases involving the preferential system of voting at the General Municipal Election held in Duluth April 6th, 1915, and generally known as the Duluth Election Cases.

The charter of Duluth provided for a Preferential System of voting at general elections for officers of the city of Duluth. This the court held was unconstitutional on the ground that the constitution does not provide for such system of voting, but only

for a single vote to be cast for a candidate for any certain office. A distinction is made between primary and general elections as the legislature has been given full power by the constitution to provide for a primary election, and the preferential system may not be objectionable, but as to general elections its powers are limited by the constitution. In arriving at its decision the court used in part the following method of reasoning:

"All candidates go upon the official ballot by petition. The ballot provides for first choice, second choice, and additional choice votes. If the result of the first choice is a majority for a candidate, he is elected. If a count of the first choice votes brings no majority, the second votes are added to the first choice votes, and if a candidate then has a majority of the first and second votes, he is elected. If there is not a majority, the first and second choice votes are added to the additional choice votes, and the candidate having a plurality is elected. Each voter may vote as many additional choice votes as he chooses, less the first and second choice votes; that is, he may vote as many additional choice votes as there are candidates, less two. In this case there were four candidates; each voter had two additional votes, or a total of four votes. No voter can vote more than one vote

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for any one candidate. He is not required to vote a second choice or additional choices.

"There was no majority of first choice votes. There was no majority of first and second choice votes. There was, of course, a plurality of first choice, second choice and additional choice votes.

"The constitution provides as follows:

'Every male person of the age of 21 years or upwards shall be entitled to vote at such election *** for all officers that now are or hereafter may be elective by the people.'

(Constitution, article 7, section 1.)

"There is this further provision:

'All elections shall be by ballot, except for such town officers as may be directed by law or otherwise chosen.'

(Constitution, article 7, section 6.)

What Vote Means

"When the constitution was framed, and as used in it, the word 'vote' meant a choice for a candidate by one constitutionally qualified to exercise a choice. Since then it has meant nothing else. It was never meant that the ballot of one elector, cast for one candidate, could be of greater or less effect than the ballot of another elector cast for another candidate. It was to be of the same effect. It was never thought that with four candidates one elector could vote for the candidate of his choice, and another elector could vote for three candidates against him. The preferential system directly diminishes the right of an elector to give an effective vote for the candidate of his choice. If he votes for him once, his power to help him is exhausted. If he votes for other candidates he may

harm his choice, but cannot help him. Another elector may vote for three candidates opposed to him. The mathematical possibilities of the application of the system to different situations are infinite."

As a result the court concluded that no municipal judge was elected in Duluth at the General Election held April 6th, 1915. Further that though the preferential election was void, this did not affect officers elected under the preferential system, or their terms where no contest had been instituted or equivalent remedy sought; and that acts taken by officers so elected were as valid as though they had been regularly elected, and that persons so elected were *de jure* officers beyond the reach of *quo warranto* or other proceeding.

As to Improvements

In the case of *St. Louis County vs. Board of Education of the City of Duluth*, 158 N. W. 968, the facts disclose that the City of Duluth constructed a sidewalk on a public street in front of lots owned by the Board of Education, and upon which a school house was located, and regularly levied an assessment for the costs of the improvement against the school property. The City Charter of the City of Duluth provides that upon non-payment of an assessment for a local improvement the City Council shall certify to the County Auditor a list of the lands upon which assessments have not been paid and the amount thereof; and that the payment of same shall be enforced and collected in the manner that general taxes are collected. The amount due was published in the delinquent list and judgment was asked against the

premises for the amount due on the assessment. First, the court lays down the proposition that as a general rule the laws relative to taxes and special assessments are understood to apply to private property and not to public property; and that though such laws are general in their terms they do not apply to public property unless the intention to so apply them affirmatively appears.

The Duluth Charter provided only in a general way that the city should have power to make local improvements and to provide for the payment of same by special assessments upon property specially benefited. It did not contain any provisions other than those contained in the general laws for enforcing payment of assessments and hence the court held that the charter not having provided a remedy for collecting a delinquent assessment the general provisions of the charter could not be construed to authorize an assessment against property upon which such assessment could not become a lien, as neither the general laws of the state nor the charter attempted to create any personal liability.

Brown vs. Board of Public Works of the City of Red Wing, 158 N. W. 977. The City of Red Wing had regularly caused certain streets to be paved and special assessments to be levied against abutting property by adopting an assessment roll, and further ordered that any assessment not paid within 20 days after notice of adoption of such assessment roll should be paid in ten annual installments. The relator procured a writ of certiorari objecting to the assessment on the ground that certain items such as cost of engineering and superintending

was unlawfully included in the assessment. The court, however, held that certiorari was not a proper remedy, but that one in the position of the relator could file an answer in accordance with the provisions of Section 2108 of the general statutes of 1913, that is, that the remedy for avoiding payment of an unlawful special assessment is the same as must be pursued when objecting to the enforcement of the general taxes, and that the provisions of the charter of Red Wing did not require that any different proceedings be taken to avoid an illegal special assessment than those provided for in the general laws for defeating an unlawful general tax.

Of more interest perhaps is the case of **Clara City vs. Great Northern Railway, 130 Minn. 480.** This was a suit by the village for a writ of mandamus to compel the railroad company to construct sidewalks over its right-of-way which was some 300 feet in width. The tracks were properly planked for sidewalk purposes, but there were no walks over the other part of the right-of-way connecting up with village walks. The village relied upon Section 1995 of the general laws of 1905 as amended by chapter 78 of the laws of 1913, which requires railroad companies to construct sidewalks to connect with and correspond with walks constructed up to a railroad right-of-way. The railroad company however, contended that to compel it to construct such walks would in effect be requiring it to pay special assessments for public improvements, and that it was exempt from such taxes under the general laws. The court, however, held that the statute making it the duty of every railroad company wher-

ever its right-of-way crossed a public street in a municipality to construct a suitable sidewalk to connect with and correspond with the walks constructed by the municipality or by owners of abutting property, was a valid exercise of the police power of the state, and is not to be construed as a disguise to levy a local assessment or tax. The decision is based on the proposition that to require such walk was nothing more than to require that the railroad company keep the right-of-way in a safe and suitable condition for travel and that railroad companies were forced to do this even under the common law in absence of statutes.

The case of **Austin et al vs. Village of Tonka Bay**, 130 Minn. 359, was an action for compensation for damages to private property on account of grading and raising a highway.

Chapter 164, Laws of 1905, provides that counties having a population of more than 150,000 may construct bridges or highways within villages without the consent of such villages. The county of Hennepin graded and raised a certain street in the village of Tonka Bay and thereby damaged private property. Suit was brought against both the village and the county. The court held that the county was liable for any damage to private property on account of raising of the street, but that the village was not as it had taken no part in the improvement and could not have prevented it.

The new point decided in the case is that a county is liable as well as a voluntarily incorporated municipality for raising or lowering a highway if private property is damaged thereby.

As to streets

Rasmussen vs. City of Duluth, 157 N. W. 1088

This was an action brought by the plaintiff against the city for negligently constructing and maintaining a manhole in the street. The facts disclose that the manhole was in good repair and on the level with the surrounding paved street, except that there was a slope in the pavement around the manhole of 2.5 inches in a distance of two feet. It appears that the street was covered with ice and this in turn with snow. The plaintiff claimed that the slope in the paving was the immediate cause of his falling. The only question before the court was whether the manhole had been negligently constructed, that is, whether it was not negligent to have it elevated on a slant as above stated. It was held that this was a question for the jury to determine.

Generau vs. City of Duluth, 131 Minn. 92

This was a suit for damages against the City of Duluth for the negligent construction of a sidewalk. The facts disclose that a sidewalk on a certain street had been built from two different directions; and that where the walks so built met, one was on a grade three inches lower than the other, and that the sidewalk last built had a slant of three inches in one foot so as to meet the other walk laid on a high grade. The plaintiff claimed to have slipped on ice accumulated on the incline. Two questions of negligence were passed upon by the court. First, whether it was negligent so to construct a walk. Second, as to whether there was negligence in not keeping the walk clean considering the way

the walks were laid, and the court held that these were questions for the jury.

Anderson vs. City of St. Cloud, 158 N. W. 417

In this case an action was brought for damages on account of negligence on the part of the city in not keeping a sidewalk clean where an accident occurred. The evidence of the plaintiff discloses that snow and ice for some-time had been permitted to accumulate in front of certain premises while immediately next to these premises the walk was kept clean and hence a ridge of ice and snow had resulted; and that on account of this the plaintiff slipped. The court again held that whether negligence existed on the part of the city in permitting the ice and snow to accumulate in this way and whether it had so accumulated was for the jury.

In the case of Holmwood vs. City of Duluth, 158 N. W. 827

The facts disclose that a building was erected within about six feet of the street line and that the walks were built along the street line, and that the owner of the building later built a board sidewalk over the six foot strip of ground connecting same with the street sidewalk; and that the plaintiff while walking on this board sidewalk was injured on account of the breaking of a board. No authority was ever exercised by the city of Duluth over this board walk and the court holds that the city was under no legal obligations to take care of this walk and hence there was no liability on the city.

Briglia vs. City of St. Paul, 158 N. W. 794

The plaintiff brought this action to

recover damages on account of having slid off a street embankment in the city of St. Paul with her automobile. The facts disclose that the street was in good condition and that it was safe for automobiles and foot travel. The plaintiff had difficulties with her automobile and as a result backed over the embankment into a ravine. The court discussing the rule of law applicable to the case uses the following language:

"The question in the case is whether defendant city was negligent in not maintaining a fence or barrier between the roadway and the bluff. It is the duty of a city to use ordinary care to keep its streets in safe condition for travel. The city is not, as a rule, bound to make safe for travel the area outside of a public street, nor to fence or erect barriers to prevent travelers from straying off the street to adjoining land upon which there may be dangerous places; but it is bound to provide such guards where the street itself is unsafe for travel by reason of the close proximity of excavations, embankments, deep water, or other pitfalls or dangers.

"The duty required of a city is that of ordinary care. Generally it is a question of fact whether ordinary care was used. Where, however, the risk seems so negligible that it would be unreasonable to charge the city with the duty to maintain barriers, the court will declare nonliability as a matter of law."

The court further expressed its opinion that the city could not in this instance anticipate such unusual occurrence as appears to have taken place with the plaintiff's car, and hence was

not under obligation to provide for such contingency.

Banister vs. City of St. Paul, 155 N. W. 401

In this case suit was brought against the City and another to recover for injuries resulting on account of accumulation of ice near a cellar way extending out into the street. The court held that the projections of the cellar door or cellar way was an unlawful obstruction in the street, and that the city is liable for any damages to travelers caused by its maintenance there if suffered through no fault of their own.

Collar vs. Bingham Lake Rural Telephone Company, 155 N. W. 1064

In this case the court decided that the moving of a house over a street was not ordinarily travel as contemplated in the statute requiring that telephone companies shall locate their lines so as not to interfere with the safety and convenience of ordinary travel.

Police Power.

City of St. Paul vs. Great Northern Railway Company, 158 N. W. 972

During the year 1893 the City of St. Paul entered into a contract with a Railway Company agreeing to build and maintain certain parts of a bridge over the right-of-way of the company. The city refused later to perform its part of the contract and brought this suit to compel the Railway Company to construct and maintain the bridge.

The ruling of the court is that a municipal corporation cannot divest itself of any part of the police power, and that this contract in question attempted to do this and was therefore

void and the city was not bound by it.

State ex rel. Lachtman vs. Houghton, 158 N. W. 1017

The city of Minneapolis during the year 1915 passed an ordinance containing the following language:

"No person shall hereafter erect within said district any building except those used for residence purposes, including duplex and double houses, flats, tenement and apartment houses, and there are hereby prohibited within said district the erection and maintenance of hotels, stores, factories, warehouses, dry cleaning plants, public garages or stables, or any industrial establishment or any business whatsoever."

The ordinance described a territory to which the foregoing section applied. The plaintiff after the ordinance was passed proceeded to erect a small one story store building on ground described in the ordinance. The objection made to the ordinance was that it infringed on the provisions of the state Constitution prohibiting the taking or damaging of private property for public use without compensation, and the clause in the federal Constitution prohibiting a state from depriving any person of his property without due process of law. On the other hand the city contended that the ordinance was enacted under the police power of the state and was a proper exercise of that power. The question therefore before the court was whether the police power could be exercised so as to prohibit erection of the building. The court after going carefully into what is meant by police power uses the following language in regard to same and also in regard to the ordinance.

"While the police power of the state

is a very extensive one, it is not without limits. A law enacted in the exercise of the police power must be a police regulation in fact. If it will not conduce to any legitimate police purpose, or if it amounts to an arbitrary and unwarranted interference with the right of the citizen to pursue any lawful business, the courts have a right, and it is their duty, to declare the law unconstitutional.

"The police power of the state is very broad, but not without limits. Under it the legislative power may impose any reasonable restrictions and may make any reasonable regulations, in respect to the use which the owner may make of his property, which tend to promote the general well-being or to secure to others that use and enjoyment of their own property to which they are lawfully entitled; but when the legislative power attempts to forbid the owner from making a use of his property which is not harmful to the public and does not interfere with the rightful use and enjoyment of their own property by others, it invades property rights secured to the owner by both the state and federal Constitutions. Only such use of property as may produce injurious consequences, or infringe on the lawful rights of others, can be prohibited without violating the constitutional provisions that the owner shall not be deprived of his property without due process of law nor without compensation therefor first paid or secured. That the right of a property owner to erect a store building upon his land is within the protection of these constitutional provisions and cannot be taken away under the guise of a police regulation, is so universally recognized that an ex-

tended search has failed to disclose any decision holding otherwise either in fact or in principle. We are forced to the conclusion that the ordinance in question cannot be sustained in so far as it prohibits the erection of ordinary store buildings."

It appears that Minneapolis was the first city throughout the United States which attempted to limit the erection of such buildings as store buildings. On the other hand many other cities have regulations with reference to buildings used in businesses which in the very nature may be more or less disturbing to the community and these have been invariably sustained.

In Regard to Certain Businesses

Johnson vs. Shiely. 155 N. W. 390

This suit was brought to enjoin the defendants from maintaining their barns under such conditions as made them a nuisance. It appears that the barns were located in a well built up residence district, and that objectionable odors and disturbances emanated from the barns to the discomfort of the residents of the locality. The court holds that barns, located in a residence portion of a city, in which a large number of horses are stabled, though not *per se* a nuisance, may become such because of offensive and disagreeable odors and noise coming therefrom to the substantial detriment and discomfort of adjacent property owners, though such barns are not negligently cared for.

It would appear therefore, that the law relative to barns in closely settled districts is, that such barns are not a nuisance *per se*, although they may become a nuisance by reason of their location or the manner in which they are conducted, and further that if the

manner in which they are conducted is conducive of noxious odors, disagreeable noises to the discomfort and annoyances of adjoining property owners such barns are a nuisance within the meaning of the law regardless of the care that is exercised in their management so as to avoid results in that nature, or, in other words, where the business casts out noxious and unwholesome odors, in fact annoying and impairing the comfort of property owners, it is no defense to say that such barns are conducted in a reasonable and proper manner, and that the odors emanating therefrom are such as are ordinarily incident to the business when properly conducted. From this ruling of the court it would appear that municipalities have the unquestionable right of regulating the location of barns and stables.

Notice to Municipalities of Injuries

In the case of **Johnson vs. City of Duluth 158 N. W. 616**, two legal questions were raised. First, as to whether Secs. 1786-87-88 of General Statutes 1913 providing for giving notice to municipalities by persons suffering injuries on account of defects in streets or negligence on the part of a municipality supersedes such provisions contained in the Charter of the City of Duluth. This the court held it did and expressed its opinion that it was the intention of the legislature to establish a uniform rule applying to all municipalities, and thereby to avoid confusion. Second, whether the statute required that notice be given where damage was done to real property on account of raising or lowering of a street. The court holds that no notice is required in such case as such cause

of action is based neither on negligence nor defect.

The case of **Frasch vs. City of New Ulm 130 Minn., 41**, we consider of more interest as it decides a question not before presented to the court.

The plaintiff brings suit to recover damages for injuries received on account of drinking contaminated water furnished her by the city through its water works system. No notice had been served on the city in accordance with the statute referred to in the above case. The court holds that the statute in its present form requires notice to be given where injuries result as in this case, that is, from drinking water furnished by a municipality through its regular water supply. It was strongly contended by the plaintiff that the operating of a water works system was engaged in a private enterprise, and that if the statute required notice of injuries in such case this constituted an arbitrary discrimination in favor of municipalities as against private parties carrying on similar enterprises. The court disposes of this contention by stating that even though this be so it is not constitutionally objectionable.

Notice of Claim

Joys vs. Village of Janesville 155 N. W. 1067

The facts in this case disclose that the village of Janesville was depositing its sewage with surface water in private property of the plaintiff, who brought the action to enjoin the village from doing so on the ground that it was a nuisance, and also demanded money damages. Two points were brought out in the opinion. First, that a municipality cannot discharge its sewage on private property if doing so

constitutes a nuisance. Second, that when the main purpose of a suit is to enjoin a municipality from maintaining a private nuisance, the written notice prescribed by Sec. 1786 Gen. St. 1913, need not be served before suit, such action not being predicated upon negligence of the municipality or its officers.

Intoxicating Liquors

The case of **State ex rel Bancroft vs. White** 156 N. W. 251 establishes the point that a liquor license cannot be issued by a municipality under the present law prior to the date of an election held under the county option statute, but to take effect in the future and after the date of election and date of filing of the certificate of election by the county canvassing board.

The facts in this case disclose that the relator Bancroft was issued a license to sell liquor on July 30th, 1915 by the city of International Falls. The license to commence on September 1st, 1915 and terminate on August 31st, 1916. Further that an election was held on August 2nd, 1915 in the county to determine whether liquor should be sold or not within the county, and that on August 9th, 1915, the Canvassing Board filed a certificate declaring the results to be that no liquor should be sold within the county.

State ex rel Smith Attorney General vs. Orr 155 N. W. 216

Chapter 147 of the laws of 1915 provides in part as follows:

"No license to sell intoxicating liquors within this state shall be issued or granted, except within incorporated cities, villages and boroughs," and was construed in the above case. The defendant applied on March 16th, 1915 for license to sell intoxicating liquors

in a certain township in St. Louis County prior to the passage of the above law and the license was issued by the auditor of the county prior to the passage of said law, to commence on the 8th day of May, 1915, subsequent to the time within which the above referred to law went into effect. The court held that the above law which went into effect April 16th, 1915, prohibited the issuance of the license in question, although the order directing the issuance of the license was issued prior to the enactment of the statute.

Contempt Proceedings

Pierce vs. Fitzgerald, 131 Minn. 116

The Charter of the city of Virginia provides that the city council shall have power to compel attendance of witnesses and production of books and papers at its meetings or before an authorized committee and that subpoenas may be issued; and also that if a witness shall refuse to testify or produce any books or papers required the city council shall have the power to fine or commit for contempt. In Virginia the city council authorized a committee to proceed with an investigation relative to meats and the sale of same in the city with the view of ascertaining as to whether a monopoly existed in the meat business and as to the reasonableness of prices. One of the meat dealers was summoned before the committee to produce invoices showing prices paid by him for meat. This he refused to do and hence was committed for contempt. The question decided by the court was whether or not the constitutional or legislative provisions relative to home rule charters or villages and cities authorized the city to grant its council the right to punish witness-

es for contempt. The court holds that the legislative and constitutional provisions of the state do not authorize punishment for contempt by a municipal council or its committees. Further stating that punishment for such contempt must be made by the district court and hence it would seem that where a municipal council has authorized a committee or is itself engaged in inquiries as that in Virginia, and a witness refuses to testify or to produce papers demanded, the matter of punishment must be referred to the courts as in the case of contempt proceedings before departments of the state as Railroad and Warehouse commission and similar Commission or Boards.

Eminent Domain

State ex rel Ford Motor Car Company vs. District Court Fourth Judicial District 158 N. W. 241

The facts in this case disclose that the City of Minneapolis proceeded to condemn private property for a public alley, but that the real purpose was to obtain right-of-way for a warehouse railway track.

The court in discussing the law governing taking of private property for public use laid down the following to be the law:

"Municipalities authorized to take private property for certain designated purposes can take such property for no purpose other than those designated. They can no more take it for some other purposes than they can take it for some private purposes."

The court further holds that whether a proposed taking of private property is for public or private use is a question for the court; but otherwise as to the property of taking property for

a public use this is a legislative question.

Annexation of Territory to Villages

State vs. Village of McKinley 155 N. W. 1064

The question in this case involved the construction of Sec. 1801 of General Laws of 1913 reading as follows:

"Five or more legal voters residing within such territory may petition the governing body of such City or Village to call an election for the determination of such proposed election."

The court construed this section to mean that the petitioners must at the time of signing such petition be both legal residents and legal voters in territory proposed to be annexed, and that being merely a resident of the voting precinct in which such territory was situated was not sufficient for a petitioner as contended by the village.

Theatre License

Bimbridy vs. Minneapolis 154 N. W. 964

This case deals with the power of the mayor of Minneapolis to revoke licenses. The City Charter provides as follows:

"Any license issued by authority of the city council may be revoked by the mayor or the city council at any time."

The court held that this provision did not give the mayor an absolute power to revoke a license so that it could be used arbitrarily or oppressively but only in the exercise of an honest and reasonable discretion. The question for the court was whether the mayor had exercised an honest and reasonable discretion in prohibiting the

exhibition of the play known as "The Birth of a Nation."

Fire Departments

In the case of Hubert vs. Granzow. 131 Minn. 361

It was held by the court that the exception of a municipal fire department from speed limitations fixed by G. S. 1913, Sec. 2619 applied although the fire department was destined for a point outside of a municipal limit.

Restraining Publication of a City Ordinance

Sullivan et al vs. City of East Grand Forks, 131 Minn. 424

The City of East Grand Forks passed and was about to publish a fire limit ordinance containing many provisions relative to safety against fires. The plaintiff's property was included within the fire zone and suit was brought by him to enjoin the publication of the ordinance on account of unreasonableness in some of its provisions in case that it should become law.

The two points decided in this case are that the courts will not restrain the passage of an ordinance except where the mere passage results in injuries or damage immediately upon the passage of such ordinance, or cause a multiplicity of suits, or violates previously existing rights; nor will the courts enjoin the passage of an entire ordinance when such ordinance contains numerous valid provisions, although some provisions should be found to be invalid. That in this case the reasonableness of the ordinances could be determined if an attempt was

made to enforce same with reference to the plaintiff's property, and that the publication of same should not be enjoined.

Repeal of Old Charter by New

Standard Salt and Cement Company vs. National Surety Company 158. N. W. 802

In this case the effect on an old charter by the adoption of a new charter is discussed. The facts disclose that the defendant Surety Company executed a bond to the City of Duluth in the usual form in the way of protection for laborers and men furnishing material. The old charter provided that no suit should be maintained on the bond unless a notice was given to the contractor and surety within 90 days, and action brought within one year after the last item furnished. After the bond had been given the City of Duluth adopted a new charter which did not provide for notice or date limiting time within which suit could be brought. No notice on the contractor or Surety Company was given before the suit was commenced. The contention of the Surety Company was that the old charter was still in force as to its bond and contract, and that notice should have been given; and that if the old charter was not in force the effect of the new charter was to abrogate a contract right. The court held that the old charter was repealed by the new but that the obligations of the contract evidenced by the bond continued; and that the repeal of the old charter affected the remedy only and did not unconstitutionally impair the obligations of the contract.

Municipal Legislation by the Minnesota Legislature of 1917

Of the five hundred fifteen acts which comprise the 1917 Minnesota Session Laws a fifth in number deal with the municipalities and their problems. There are some fifty-nine acts relating to villages and to cities of the fourth, third, and second classes. The acts relating to cities of the first class number thirty-nine, of which St. Paul and Duluth claim one each. The rest apply to Minneapolis, it being the only city of its class not operating under a home rule charter. A few acts not included in the enumeration given affect municipalities in important aspects, to complete the five score and three. The greater number of the acts are of minor consequence or of local interest only. A few are special in name, and more are special in actuality. A number are curative acts, validating and legalizing actions of doubtful authority already taken by municipalities.

The following notes indicate the character of a few of the more important acts, excluding those applying to cities of the first and second classes.

"City Manager" Charter

An optional charter law for cities of the fourth class is chapter 358. The council of a city of that class, upon petition of twenty per cent of the voters, must submit it to the people. If adopted, the city elects mayor, council, treasurer, clerk, and a **civil service commission** of nine to fifteen. This commission designates a **public utility board** of two unpaid members and a salaried city manager, who is the administrative head of all public utilities and works, police, fire, health, and library services excepted. He may be employed regardless of residence, but

must become a resident of the city. He is eligible to the office of city clerk. He employs and discharges according to rules of the civil service commission, and does everything subject to the supervision of the public utilities board. He may be discharged at the end of any month. The mayor and council and the civil service commission must be notified of dismissals from the services under the board and the manager. Appointments in the police, fire, health, and library services are not subject to the rules of the civil service commission.

Preservation of Order

Ch. 435 makes the possession of fire-arms or explosives by alien enemies unlawful, and authorizes police officers summarily to arrest violators.

Motion Picture Theatres

Ch. 466 prescribes how "movies" must be constructed to guard against fire danger, provides for the licensing of operators, and places the enforcement of the act in the hands of the State Fire Marshal.

Finance

Ch. 464 authorizes the State Board of Investment to sell bonds of other states at a loss, to be made up by profits on other bonds sold, by bonuses charged to municipal and school bonds purchased, and by appropriation made. The purpose is to render funds available for the purchase of municipal and school bonds.

Sprinkling and Oiling Streets

Chs. 406, 409, and 48 relate to the sprinkling and oiling of streets, and the assessment of costs therefor to abutting property.

Musical Entertainments

By Ch. 273, villages of one thousand or more population may levy a tax of one-half mill, the proceeds of which may be spent for free musical entertainments, not to exceed five hundred dollars per year. By Ch. 426 cities of the third and fourth classes may levy a like tax for the same purposes, not to exceed two thousand dollars a year.

Central Heating Plants

Ch. 122 authorizes cities of less than 10,000 population to grant franchises for heating plants systems. After construction they are authorized to regulate or acquire and operate such plants, and may issue certificates of indebtedness payable in heat. Ch. 125 validates previous municipally installed heating plants.

Sewer Connections

Ch. 203 empowers villages having or constructing sewer systems to require all dwellings to be connected with sewers. Upon default of such connection and after thirty days from notice of requirement the village may install toilets in unconnected dwellings, and charge cost of same to the property by assessment, which may be spread over three years.

Absent Voting

The provisions of the Absent Voters' Act, Chs. 68 and 120, comprehend city elections falling upon the same day as general elections, and so affect a few Minnesota cities of various classes.

City attorney J. N. Nichol森 of Austin, last year's president of the League, is captain of the Austin company of Home Guards.

IN MEMORIAM



A. P. PIERCE

DIED JULY 30, 1917

It is our sorrowful duty to record the death of a man who has very much endeared himself to the members of the League of Minnesota Municipalities. Those who attended the Red Wing convention last year could not forget the genial and attractive personality of Mayor Pierce. He was honored by his own city, and loved as well by his other thousands of friends outside of his city's boundaries. He was serving his tenth term as Mayor of Red Wing when his tragic death occurred. He was an admirable official, a kindly gentleman and a winning host. Those who met him even but once will feel a sense of personal loss at his going.

An Epidemic of Septic Sore Throat Due to Milk*

E. C. ROSENOW, M. D.

and

C. L. v. HESS, M. D. †

During the early part of March, there occurred in Galesville, Wis., a town of about 1,200 inhabitants, a sudden outbreak of severe sore throat. The symptoms were so severe, and the outbreak so sudden, that the authorities and physicians became alarmed.

March 12 one of us was urged to investigate the epidemic. The symptoms were strikingly like those in the milk-borne epidemic of septic sore throat which occurred in Chicago during the winter of 1911-1912 studied by Capps and Miller, and Davis and Rosenow. The relation of the cases to the milk supply was suspected, and pasteurization or boiling of the milk was advised pending the investigation. March 15 it had become apparent that the cases occurred chiefly in families who used milk from a certain dairy. Inspection of the throat and microscopic examination of a smear from the tonsils in the first case recalled at once the picture that was observed in the Chicago epidemic, namely, the presence of much mucus, diffuse redness of the throat, and enormous numbers of diplococci in smears. The subsequent examination from house to house of some thirty patients showed clearly that this was not an epidemic of ordinary tonsillitis so prevalent at this season of the year, but one presenting the typical picture of "septic sore throat." In some households all members of the family were stricken, from grandparent to

child, each being too sick to care for the others.

About 200 persons were affected, of which approximately 95 per cent consumed the contaminated milk. In some instances the drinking of a single glass of the infected milk was followed within forty-eight hours by typical attack.¹ There have been eleven deaths, due chiefly to erysipelas, peritonitis or cardiac complications. Promptly after the milk was boiled, the spread of the epidemic ceased. The few "secondary" cases which developed were less severe, and complications and relapses were noticeably less common after the milk was boiled. Persons who had had their tonsils removed previously developed mild symptoms or none at all.

At the dairy it was learned, first, that during the three weeks previously all of the milkers and the wife of one of the dairymen either had been or were still ill with severe sore throat; second, that the milk from well kept, clean Jersey cows was strained into 10-gallon cans and then bottled from a 5-gallon bottler; third, that a number of cows had had mastitis for some weeks, but this condition was no more

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†Of the Mayo Foundation, Rochester, Minn.

1. We wish here to express our appreciation to the mayor of Galesville, A. T. Twesme, who requested the investigation, to Drs. H. A. Jegi and George Christiansen, to the Sacia Brothers, owners of the dairy, and to Drs. I. J. Thompson and G. Henika of the Wisconsin State Board of Health, for their willing cooperation.

prevalent this winter than other winters; and fourth, that the milk from infected quarters of the udders was discarded. The milk from three cows (Cows 1, 2, and 3) having mastitis was collected jointly with Drs. Thompson and Henika of the state board of health.² This was done by discarding the first strippings and then milking the contents into sterile bottles. In one cow (Cow 1), the right hind quarter of the udder was infiltrated and tender. The material obtained (60 c. c.) looked more like pus than milk. The other quarters were normal, but 90 c. c. of milk were taken from the anterior quarter of the same side for control tests. Smears of the material from the quarter showing mastitis showed an enormous number of gram-positive diplococci (some of which showed capsules) single and in short chains, and many leukocytes. Blood (human) agar plates inoculated with a loopful of this material showed in twelve hours countless numbers of grayish, translucent, moist, spreading colonies surrounded by a rather wide but somewhat hazy zone of hemolysis. Smears from the centrifugalized sediment of the control milk from Cow 1 showed four colonies of the same streptococcus and no other bacteria. Dextrose broth cultures showed marked diffuse turbidity due to diplococci which were single and in short chains. These plated on blood agar yielded the same streptococcus in pure form.

Smears and cultures from the mastitis milk from Cow 3 showed exactly the same streptococcus, while the material from the infected quarter of Cow 2 showed staphylococci and a few

grayish colonies of streptococci but not the hemolyzing streptococcus.

Smears from the swabs of the throats of five patients showed many diplococci and leukocytes. The cultures on blood-agar plates yielded large numbers of colonies of streptococci exactly like those from the infected milk. On some of the agar plates were a few green colonies of streptococci, staphylococci, colon bacilli and *Micrococcus catarrhalis*. The preponderance of the characteristic streptococcus on these plates was a striking picture. The colonies like those found in the Chicago epidemic when first isolated differed from the usual hemolytic streptococcus in that they were larger, less opaque and more moist, and the hemolysis was less marked and less sharply defined. After cultivation for a short time, in some instances in the third culture generation, these peculiar features had disappeared simultaneously with the capsule and the colonies were indistinguishable from the usual hemolytic streptococcus. One of the six patients failed to show the hemolyzing streptococcus. The fermentative reactions of the streptococcus from the milk and throats were identical. Dextrose, lactose, saccharose and salicin were attacked; raffinose, mannite, and inulin were not.

Animal Experiments

The virulence of the streptococcus, the missing link in the chain of evidence to prove the milk guilty, was demonstrated the next day, March 16, and was so reported to the Galesville authorities.

2. On arrival at the dairy, Dr. Henika reported the finding of numerous "streptococci" in the centrifugalized sediment of a sample of the contaminated milk procured in the open market.

(Space does not permit inclusion of descriptions of experiments given at this point in the original article.—Ed.)

Similar experiments were done with a sample of milk obtained in Rochester, cultures of which showed large numbers of nonhemolyzing streptococci and a moderate number of colon bacilli. Animals were injected as above, first, with this milk as obtained and kept at room temperature for twenty-four hours; second, with the milk inoculated with the virulent streptococcus (Cow 1) and kept at room temperature for twenty-four hours, and third, with the latter after pasteurization. Those injected with the uninoculated milk remained well, as did those injected with the pasteurized material, while those injected with the milk inoculated with the virulent streptococcus either died or became ill.

(Descriptions of further conclusive experiments omitted here.—Ed.)

Summary and Conclusions

The clinical picture in this epidemic was typical of "septic sore throat" as described in numerous other milk borne epidemics. Etiologic relationship of the streptococcus found in the milk was proved. The disease occurred almost exclusively in persons who consumed the milk. In some instances the drinking of one glass was sufficient to bring on an attack. The streptococcus was found in enormous numbers in the material from mastitis quarters of the cows' udders and in small numbers in a normal quarter. It was also isolated in large numbers from the throats of patients. High virulence of the streptococcus was proved by inoculation of animals. The lesions produced resembled those found in patients, especially in those animals in which the

methods of inoculation simulated those which occurred in the epidemic. Erysipelas was produced in a monkey by scratching the skin with a wire dipped in the infected material. In the same monkey inflammation of the throat associated with acute enlargement of the lymph glands in the neck, with surrounding edema and otitis media followed swabbing the throat with cotton saturated with the same material. Peritonitis, pericarditis, endocarditis, myocarditis and synovitis were common in the animals as in patients. Heating the milk to 60 degrees for twenty minutes was sufficient to render it innocuous.

Pasteurize

Virulent bacteria may be present in the udder of cows with no demonstrable sign of disease. It is practically impossible to handle milk without risk of contamination from human and other sources even though the rigid technique of an operating room be employed. Since milk is such an excellent culture medium, inspection of dairies, certification and grading of milk according to sediment tests and bacterial counts as now practiced, while valuable, cannot permanently safeguard the public health. **Efficient pasteurization should be universally adopted.**

The Ohio Supreme Court has ruled that a municipal light plant must establish a uniform schedule of rates which will not discriminate between consumers in the same locality. In the same decision the court held that the municipal plant is not barred from selling current below cost.

Visiting Nurses and Their Work*

By DR. I. J. MURPHY

I wish to emphasize this point: No matter what the state or the local health organization may be, without an adequate number of local visiting nurses, we will lack the key to our most important problems in preventive medicine and personal hygiene.

For a number of years past the citizens of the larger cities of this state have enjoyed the advantages of various forms of visiting nurse service. They have had tuberculosis nurses, infant welfare nurses, school nurses and general visiting nurses. Gradually the smaller villages of the state made investigations and many of them have already availed themselves of similar services. Today most cities of five thousand population or over have a permanent nurse at least during the school term.

At present the Minnesota Public Health Association is directing the work of six demonstration nurses. This fall permanent rural nurses were engaged for St. Louis and Ramsey counties to work in cooperation with the County Superintendent of Schools. Renville County has just engaged one of the Minnesota Public Health Association nurses for three months. Other counties that have engaged Minnesota Public Health Association nurses for work before January 1st, 1917, are as follows:

Beltrami, 2 months.
Rice, 2 months.
Marshall, 1 month.
Pennington, 1 month.
Wabasha, 2 months.
Polk, 1 month.

In addition nearly every county of the state will sell enough Red Cross Christmas Seals to allow each one to have a Minnesota Public Health Association nurse for from one to two months.

Authorities agree now that in order to conquer tuberculosis, we must begin the training of the soldier while he is in the cradle or even before. This means advice for the mother, prenatal care, supervision of the child during his pre-school age and safeguarding him during school life. In this way only can we build up a healthy resistant stock.

In rural districts particularly it is urgent that a nurse visit the home whenever a birth is reported, and attend to whatever may be needed. Wherever infectious diseases are reported, she should also visit the homes to see that proper precautions are taken. At present the greatest field of usefulness for the visiting nurse is with school children. The state has no moral right to compel your children to go to school without at the same time providing for their protection from preventable diseases. In large cities it seems best to allow the nurses to specialize in various fields of visiting nurse work, but in the small communities the same nurse must necessarily do everything that any visiting nurse may be expected to do.

The health knowledge which a visiting nurse can bring each family free of charge except for the infinitesimal tax,

*Read at Fourth Annual Convention, League of Minnesota Municipalities, October 19, 1916.

which her salary represents, is knowledge which leading medical specialists have gained after long and expensive research, and which would cost enormous fees, if it were obtained in private consultation. The opportunities for promoting public and personal hygiene by the visiting nurse are many, and her sphere of usefulness is unlimited. It would seem advisable, however, in order to accomplish the greatest amount of good with the least expenditure of money, to have the work systematized and extended under a general plan, which when necessary can be modified to meet local and changing conditions.

The visiting nurse movement is spreading very rapidly. In 1909 only two cities of this state (St. Paul and Minneapolis) had visiting nurses in any capacity whatever. This association recently collected reports from all the cities and organizations of the state at present employing visiting nurses. We had hoped to publish all the reports in the current issue of our Health Journal, but they were so numerous and illustrated such varied activities, that it will be necessary to publish part of them in a second number.

All told there are 117 permanent visiting nurses employed in thirty separate communities of the state. Temporary nurses have been employed for periods varying from two weeks to several months in over two dozen towns of the state.

Another item of great importance, but one that has not been given any attention until lately in this state, is that of "Creating public health interest." In order to get proper support for either local or state measures, we must have an informed cooperating public.

During the past two years the Minnesota Public Health Association has made a strenuous effort to interest various local organizations. It has succeeded better than was expected, as the following typical examples indicate:

Right here in this City of **Red Wing** (population 9,048) **Visiting Nurses' Association** has raised funds enough to employ a general visiting nurse. Plans are on foot to have an additional nurse employed jointly by the school and the health boards. The local society is co-operating with the State Association and the County Sanatorium Commission in the work of the tuberculosis dispensary recently opened here.

The Pennington County (pop. 10,537) **Public Health Association**, organized November, 1915, sold nearly 30,000 Red Cross Christmas Seals. In addition by tag day contributions their fund was increased by several hundred dollars. One of the State Association's nurses was employed for the months of April and May. All the school children, including those of the high school, were given physical examinations. The nurse visited all the known tuberculosis cases in the county. In the fall a tuberculosis educational campaign was conducted; in the spring Baby Week was observed. Tuberculosis literature and literature on the care of the baby is being distributed. The local association plans to raise enough money by tag day and through the sale of Red Cross Seals to employ one of the State Association's nurses again for two or three months when the local sanatorium, now under construction, opens.

The Rice County (pop. 25,911) **Public Health Association**, organized in December, 1915, has been very active.

In the fall a general public health educational campaign, with emphasis on tuberculosis, was conducted; in the spring Baby Week was observed.

This Association is now ready to employ one of the State Association's nurses and thus cooperate with the state organizations and the United States Public Health Service in an intensive county campaign.

Largely through the efforts of the County Association voluntary contributions sufficient to maintain a whole-time visiting nurse in Faribault, the largest city, have been secured. Arrangements have been made for a public address on the subject of "Cancer." A tuberculosis and general health exhibit, with a nurse to demonstrate, have been secured for the County Fair to be held in October.

The Marshall County (pop. 16,675) **Public Health Association** conducted the customary tuberculosis campaign in the fall. In addition to the Baby Week campaign this spring, it instituted an anti-fly crusade. Nearly every school child in the county wrote an essay on the fly; a local physician offered a prize of \$10.00 for the best essay. One of the State Association's nurses has been engaged for a month some time this fall.

The Kandiyohi County (pop. 19,261) **Public Health Association** conducted as usual a very energetic tuberculosis campaign in the fall, and in the spring endeavored to have Baby Week observed throughout the county. One of the State Association's nurses was employed.

The Pine County (pop. 18,161) **Public Health Association** had a very successful seal campaign. A Baby Week program was held during June. A vis-

iting nurse of the State Association will be employed this fall.

The **Visiting Nurse Committee** of the **Rochester** (pop. 7,844) **Civic League** took an active part in the seal campaign. Sufficient funds are raised by voluntary contributions to employ a whole-time visiting nurse. A whole-time health officer and school physician are also employed; part of this expense is met by voluntary contributions also. Baby Week was observed; plans are on foot for a special fresh-air room, beginning this fall. The county sanatorium project is being agitated.

The **South St. Paul** (pop. 4,510) **Anti-Tuberculosis Society** supplements the salary of the nurse for the three months not covered by the school board. Appropriate exercises were held in all the schools during tuberculosis week; Baby Week was observed this spring. A Red Cross Seal film was shown and an endeavor has been made to create sentiment in favor of a county sanatorium.

The **Freeborn County** (pop. 22,516) **Public Health Committee**, of which Miss Alma Wretling, school nurse, of Albert Lea, is chairman, supervised a tuberculosis educational campaign in the fall and conducted a Baby Week program in the spring. Parent-Teachers Clubs have been formed in nearly all the graded schools and in most of the larger rural districts. Warm lunch provisions have been secured for most of the schools of the county. The nurse rounded up all of the Albert Lea school children whom she thought might be benefited by an open-air room and had one of the physicians of the Division of Preventable Diseases of the State Board of Health give each of the candidates a thorough examination. The lo-

cal committee was successful in inducing Albert Lea (pop. 6,192) **school board** to employ the nurse for **twelve months of the year**; accordingly during the summer the nurse has been able to do considerable tuberculosis work. Local people hope to see Freeborn County one of the first to apply for the new county sanatorium building fund as soon as the 1917 Legislature creates one.

The **Nicollet County** (pop. 14,125) **Public Health Committee** have been able to obtain voluntary contributions enough to support a nurse for **St. Peter** (pop. 4,176). During tuberculosis week exercises were held in all the schools. This spring a very successful baby program was held.

The **Blue Earth County** (pop. 29,337) **Public Health Committee** have been successful in securing a second visiting nurse for **Mankato** (pop. 10,365). Previously one general nurse was employed, one-third of her salary being raised by voluntary contributions, one-third by the Mankato school board and one-third by the city health department. Now the school board is employing one nurse for ten months, and voluntary contributions and the health department support the second nurse, who will devote her entire time to tuberculosis and infant welfare work. Much work has been done towards securing a local sanatorium, but apparently much more will have to be done before the project is started.

The **Tuesday Study Club of Montevideo** (pop. 3,056) employed one of the State Association's nurses for the month of March. A tuberculosis educational campaign was conducted in the fall and Baby Week observed in the spring.

The **Community Club of Worthington** (pop. 2,385) was first in the nurse prize contest with a per capita sale of \$8.55. The State Association's nurse spent the month of February there. The local sanatorium opens this fall and plans are on foot for a county as well as a city nurse.

The **King's Daughters of Waseca** (pop. 3,054) employed one of the State Association's nurses for school work only and raised the necessary funds entirely by subscriptions. This organization will assist in the Seal Sale hereafter. At present an effort is being made to secure a local nurse and to create sentiment in favor of a county sanatorium.

The **Washington County** (pop. 26,013) **Committee** induced **Stillwater** (pop. 10,198) school board to employ one of the State Association's nurses for the month of May; later the nurse did tuberculosis work throughout the county. Prospects for a county sanatorium are rather distant but it is hoped that Stillwater will have a special fresh-air room when schools open in the fall. Stillwater is the only city above 10,000 not employing a permanent nurse.

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Last year the cities treating their water by liquid chlorine thereby made it safe from typhoid danger at a cost of about two cents per capita. Rather reasonable insurance, it seems.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota,
E. L. BENNETT, Secretary

The Municipal Reference Bureau is at the service of all Minnesota municipalities for the answering of questions concerning municipal government and administration, for making researches, drafting ordinances, and sending suggestions to municipalities with particular problems. A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

DOGS

The dog problem is a very harassing one in most villages. If a strict ordinance is set up and enforced the council and officials encounter the opposition of those who add to their love of dogs a dislike of paying a license and looking after their pets. If no notice is taken at all the dogs are likely to become a nuisance, in more ways than one. Moreover the danger of rabies is much increased if indiscriminate running at large of dogs is permitted. Several times during the year the Municipal Reference Bureau has been consulted upon the problem. None of the ordinances in force have seemed satisfactory. The Bureau has therefore prepared an ordinance, which is published below in the form as passed by Goodhue. It will be taken as a favor if officials of other villages having experience with like ordinances will offer criticisms of the provisions or omissions of this.

Ordinance Number 64

Passed Thursday, July 5, 1917.

An ordinance to regulate the running at large of dogs in the village of Goodhue.

The council of the village of Goodhue do ordain as follows:

Section 1. It shall be unlawful for the owner or keeper of any dog 4

months old or older to permit it to run at large in the village of Goodhue unless a license for such dog has been issued according to the terms of this ordinance.

Section 2. The owner or keeper of every dog which is permitted to run at large in the village of Goodhue shall not later than the first day of June of each year apply in writing to the clerk for a license for such dog. The applicant in every case shall describe the dog and give its name, and shall affirm that it is not vicious, diseased, or so affected as to be likely to cause injury, damage, or annoyance to the public, and the application shall be accompanied by a fee deposit of one dollar and ten cents in the case of a male and three dollars and ten cents in the case of a female dog, provided that these fees shall be one dollar and three dollars if the applicant returns a dog license tag of the previous year. The village clerk shall, if he have no reason to believe such license should be refused, issue to the applicant a numbered license and a metallic tag bearing the same number, and turn the fee over to the village treasurer, taking his receipt therefor. If he have reason to believe that such license should not be issued he shall refer the matter to the village council, who shall

determine whether such license shall be issued. If it be denied, the fee deposit paid in shall be returned. If the license be granted, the fee shall be turned over to the village treasurer. The village clerk shall file and preserve in his office the applications for dog licenses, and a record of all licenses issued. Licenses shall expire June 1 next after their issuance.

Section 3. The metal tags issued shall be of distinctive shape or material for each year, and each shall be attached or appended to a collar worn about the neck of the dog licensed under the corresponding number, in such a way as to be readily observed.

Section 4. Whenever the public health or safety would be endangered by the running at large of dogs the council by resolution or the mayor by proclamation may require that all dogs allowed upon the street be securely muzzled, or that no dogs shall be permitted to run at large for a designated time.

Section 5. No license shall be issued for any dog which is vicious, diseased, or otherwise so affected as to be likely to cause injury, damage, or annoyance to the public if permitted to run at large, and the license for any dog which shall become vicious, diseased, or affected as aforesaid may be revoked at any time by resolution of the village council, or by order of the mayor, subject to confirmation at the next meeting of the council.

Section 6. Any dog which attacks or threatens people and animals in the street or which is afflicted with hydrophobia, shall be destroyed in a summary manner, and the carcass re-

moved and buried, by the village marshal.

Section 7. It shall be the duty of the village marshal of Goodhue to seize and impound any dog which shall run at large in the village of Goodhue unless it be wearing a collar with license tag attached as provided in this ordinance, and unless it comply with all the other provisions of this ordinance and of any proclamation of the mayor of the village of Goodhue issued pursuant to this ordinance. It shall be the duty of the village marshal to seize and impound any female dog in heat which may be upon the streets, whether licensed or not. The license for any such female dog shall expire upon such female dog's being impounded.

Section 8. Upon impounding any dog the village marshal shall at once give written notice thereof to the village clerk, and to the owner or keeper of such dog if known. Such notice shall contain a description of the dog and a statement of the reasons for and circumstances of impounding it. The notice to the owner or keeper of such dog shall state that unless redeemed within 2 days thereafter such dog will be destroyed or otherwise disposed of as herein provided. If the owner be unknown, a like notice shall be posted in three public places in the village of Goodhue.

The owner or keeper of any dog which has been impounded may within two days redeem such dog by presenting to the village marshal a receipt from the village clerk showing that he has paid all license and pound fees as herein provided. At the expiration of two days any person may

redeem such dog upon payment of such fees. If not redeemed, such dog shall be destroyed and buried in a public dumping ground.

Any person redeeming any dog from the pound shall pay into the village treasury the regular license fee for such dog, together with an impounding fee of fifty cents and a fee of twenty-five cents for each day or fraction thereof which such dog has been in the pound.

Section 9. Any person who shall resist or interfere with the execution of any of the provisions of this ordinance by the village marshal, or who shall release or attempt to release any dog from the pound without paying the fees prescribed herein, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two dollars (\$2.00) nor more than ten dollars, (\$10.00) and cost of suit for each and every such offence or by imprisonment in the village watchhouse for not less than 3 days nor more than 10 days, or by both.

Section 10. The village clerk shall be entitled to a fee of twenty-five cents

for each dog license issued, to be allowed monthly upon presentation of verified claim to the village council, and to be paid from the village treasury:

The village marshal shall be entitled to the following fees, to be allowed upon verified claim presented to the village council, and to be paid from the village treasury:

For each dog summarily destroyed and buried as in this ordinance provided, the sum of one dollar and fifty cents;

For each dog impounded, the sum of fifty cents;

For each day or fraction of day which any dog may be cared for in the pound, twenty-five cents, provided not more than seventy-five cents may be allowed on account of the care of any one dog;

For each impounded dog destroyed and buried as in this ordinance provided, one dollar.

Section 11. Ordinance No. 36 of the village of Goodhue is hereby repealed.

Section 12. This ordinance shall take effect and be in force from and after its passage and approval.

PRINTED MATTER

Books reviewed in this column may be procured through MINNESOTA MUNICIPALITIES at prices listed. Pamphlet material may often be procured free upon request. All material mentioned in this column is on file in the office of the Municipal Reference Bureau, and will be lent when necessary, without charge.

Shade Trees in Towns and Cities.

By William Solotaroff. John Wiley and Sons, N. Y. 1912, 287 pages, illustrated, \$3.

This is a comprehensive book by a man of wide study and experience. The text and illustrations furnish a

great amount of information needed by the city planner or official regarding the selection, planting, and care of street trees. Two chapters are devoted to the problems of administration of street tree culture. The final chapter summarizes the tree legislation of a number of states and cities.

Shade Trees, Characteristics, Adaptions, Diseases and Care. By George E. Stone. Bulletin No. 170, Agricultural Experiment Station, Am-

herst, Mass. 264 pages, illustrated, 1916.

This bulletin covers much the same ground as the volume considered in the preceding note. In some respects it gives later practises. Requests for bulletins should be addressed to the Experiment Station.

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(Signed) E. L. BENNETT,
Executive Secretary.

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The League of Minnesota Municipalities is a co-operative association of the cities and villages of the North Star State, all contributing to the common stock of practical knowledge and experiences which is accumulating for the use of cities and villages in solving their actual problems of municipal administration. The purposes of the League are not narrow and self seeking; its efforts are directed toward the service of the municipalities of Minnesota by extending the achievements of each to all the rest, and by working all together to accomplish the things that can best be done by co-operation. The purpose of a municipality in joining the League is not to secure any particular advantage for itself alone, but rather to take its place and do its part in working for the advancement of good and efficient government for all cities and villages.

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VOL. II.

DECEMBER, 1917

No. 6

In This Issue



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PRESIDENT O'NEILL'S ADDRESS

REPORT OF THE SECRETARY-TREASURER

"KULTUR" OR "CIVILIZATION"?

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Vol. II

DECEMBER 1917

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CONTENTS

Retrenchment	173
A Plea Repeated	173
Ordinances	173
Address of Welcome to St. Cloud	174
The President's Address	177
Report of the Secretary-Treasurer	190
Regulation of State Board of Health	198
Which Shall It Be—"Kultur" or "Civilization"?	199
Municipal Economies in War Time	207
The St. Cloud Convention	209
Information Department—	
Firemen's Aid	213
Use of Sand-Pit in Street	213
Report of Committee on Resolutions	214
Printed Matter	217

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Minneapolis, Minn.

FREDERIC BASS, Associate Editor

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DECEMBER 1917

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Retrenchment

The League's resolution urging that construction work not vital to the municipality's well being should be deferred has been formally adopted by one member city as the basis of its public improvement policy for the war, and is being informally followed by many more. It is not to be forgotten that it contemplates dispensing with those improvements only whose postponement will not work irreparable injury. Some construction, especially that affecting the health services, such as water supply, sewerage, garbage disposal, must be carried on. It is all the more needful now that what must be done be at as low a cost as will secure good service. This means that many municipalities should adopt new materials and methods. Professor Bass has undertaken to prepare a series of articles on municipal economies in war times, the first of which is presented in this issue. Others will follow upon such subjects as waste disposal, sewerage, pavements, etc. We commend them to our readers' most careful attention.

A Plea Repeated

The League and the Municipal Reference Bureau are able to render more and better service only as they accumulate more and better data and information to furnish to inquiring municipalities. The Secretary-Treasurer asks in his report that members keep headquarters supplied with copies of the ordinances and important resolutions passed. They will be kept on file and used to help other municipalities working upon like problems. The value of such a file will not be questioned by any member. It will be greater as more members contract the habit of contributing regularly to it.

Ordinances

When the Village of Wadena has an ordinance published it has the type preserved and used for reprints which are made on sheets of standard letter size, so that they may be conveniently filed or bound. No more than one ordinance is printed on one sheet, however short it be. This makes it possible for the village to supply each of its officers a file of such ordinances as affect his work, in a convenient form and without a great deal of irrelevant matter. It appeals to MINNESOTA MUNICIPALITIES as a good idea, worthy of passing on.

Address of Welcome to St. Cloud

By Mayor D. H. Freeman

Mr. Chairman and Gentlemen of the League of Minnesota Municipalities:

As Mayor of the City of St. Cloud it becomes my duty as the representative of its people to welcome you to this city for the purpose of holding your fifth annual convention. Now, as I understand it, the object of this league and meeting is the assembling together of representatives of every municipality in the State of Minnesota for the purpose of exchanging ideas and working out the problems of city government and recommending to the State Legislature such changes as may be found necessary so that all the people may be benefited thereby.

Your object is certainly a worthy one and should receive the support and endorsement of all the people of this State.

Now gentlemen, I do not intend to take up your precious time in giving a detailed statement of all our branches of business and business houses, but there are some things and places to which I want to call your special attention and I should like very much to have you visit these places while here, for they will certainly interest you.

First is the State Normal School. This institution is turning out some two hundred teachers per year. These teachers are going out into every county in this state for the purpose of teaching and training the children of the state to become good law-abiding citizens.

Next comes the State Reformatory for young men and boys under thirty years of age who have been committed

for their first offense. There are some 450 boys in this institution at the present time. It is said that the new state prison at Stillwater on account of its complete arrangement is the finest prison building in the world. Perhaps some of you are not aware that the State Reformatory at St. Cloud for completeness, when finally perfected, will stand second to no institution of its kind in the world. Gentlemen of the Convention, you are invited there for luncheon tomorrow noon. You should make it a point to be there without fail for this is certainly a very interesting institution and the drive there very pleasing and beautiful.

Passing the State Normal School buildings *en route* to the State Reformatory we come to the top of the high river bank and hill. Here you should stop long enough to view the landscape over. To your right side and to the rear you are still in view of the State Normal School buildings; in front of you and in full view is the grand old Mississippi River, which gradually widens its channel in its course. 'Tis here you get the first glimpse of the commencement of the Thousand Islands which you read about in your geographies in your schoolboy days. Right at the foot of this high bank and hill is the wagon bridge and dam across this grand old river and here are located the flour mills and also the electric light and power plant which furnishes electric light for our city and surrounding towns; also power for running all our granite quarries and other factories of the city. You should see this plant.

At the top of this high bank and hill you are in full view of Riverside Park on the east bank of the river with the Scenic Road winding through the park. From the bridge it is only one mile over this beautiful route to the State Reformatory which is located on a plateau of ground some one hundred twenty feet above the Mississippi River. Arriving at the Reformatory you take the elevator and go up one hundred twenty-five feet to the top of the building and you have a view of the surrounding country on a clear day that is worth traveling miles to see.

Please remember that the State Normal School and State Reformatory are both state institutions—in other words, they are your institutions. You are contributing to their support and it becomes your duty while here to go and see the good work that these institutions are doing.

St. Cloud has as good schools as any city in the State. During the past year the Technical High School building was erected at a cost of \$240,000 and the Catholic Parochial High School Building was erected at a cost of \$75,000. There has been a large amount of money expended on other school buildings. You should not fail to see some of these buildings and visit the schools if you can spare the time.

The Watab Pulp & Paper Mill, located some five miles up the Mississippi River, is a model mill of its kind. Logs in their natural condition are taken in at the upper end of the mill, are ground into pulp and converted into paper which comes out at the other end of the mill a finished product. The drive to this mill is over a portion of the Scenic Road and skirts the Mississippi River all the way and passes through

the Village of Sauk Rapids. After leaving the paper mill you can cross the river at the mill and come back home on the west bank of the river skirting the river all the way. This is one of the most beautiful drives on the Mississippi River and you should not fail to take advantage of the opportunity while here.

The Pan Motor Automobile Company was organized and is being promoted by S. C. Pandolfo. It is a new enterprise incorporated for \$500,000. It has an organization in thirty states for selling stock and under Pandolfo's generalship it is making rapid progress. It certainly is a winner. See more of it before you return home.

St. Cloud's granite industry is St. Cloud's greatest industry. There are some thirty companies doing business in this immediate vicinity. They are shipping dressed granite and monuments to all parts of the country. There was \$1,500,000 worth of granite work shipped from this locality last year and still this business is only in its infancy. Most of the finished product is shipped east and south. I am told that there has not been found as yet any granite west of St. Cloud to the Pacific coast that will build a good monument.

Men of Minnesota, you who have lived in this State many years can look back to the time when the northern part of this state was all covered with pine forests. Where is it today? All gone. Minnesota has the greatest iron deposits in North America, but it is estimated that these mines will be practically exhausted in thirty to thirty-five years. Not so with the granite. St. Cloud and this locality has granite deposits that will last for a thousand

years and then some. Can you beat it? Gentlemen, a number of our monumental granite sheds are located just about half a mile from where you sit. Let me say to you, don't go away without first having seen some of this work as it is handled in the shops. You certainly will enjoy it.

St Cloud has purchased ground on the Mississippi River and around Lake George sufficient for park purposes for many years to come. These grounds are almost in their natural condition. But little improvement has yet been made. The locations are ideal and if you should come back here in ten years from now you will see the most beautiful city in Minnesota.

The St. Cloud Institute is the beautiful building we are occupying today. It was created by the Rt. Rev. Joseph F. Busch, D. D., who is Bishop of St. Cloud. This grand good man had two years of training under Archbishop Ireland of St. Paul and he could not possibly be anything else but a great big broad gauged man always looking out for the welfare of his people. We are indebted to him today for the use of this building. He has thrown open the doors of this institution and asks you to come in, and as the representative of this city and its people I want to state that the gates of this city not only stand ajar but they are thrown wide open to you and we ask you to come in and be a part of us and partake of our hospitality. And in all your deliberations for the betterment of mankind during the hours of this convention, may peace and harmony prevail.

Response by President O'Neill

On behalf of the League and myself, Mr. Mayor, I wish to thank you and

the citizens of St. Cloud for your kind words of welcome and for the souvenirs and the other evidences of a genial reception that we see here today.

There are many reasons why St. Cloud was selected for this meeting. In the first place, it is one of the oldest and most important cities in the state. Although I was born in this state and have accumulated a fair number of years, I cannot remember a time when St. Cloud was not one of the important centers. It is so situated and has such railroad facilities as to make it probably the most accessible of any of the cities of this state. Mayor Freeman has made a clear and comprehensive statement of St. Cloud's industries and attractions and its municipal activities. These are things that are not overlooked by this organization when selecting its meeting place.

The meeting of the League at different points in the state, every year, is largely for the purpose of making its members, the members of the different municipalities, acquainted with each and every locality in the state and the resources of the state, and I am especially pleased with that part of Mayor Freeman's address in which he calls special attention to the points of interest within and adjacent to your city, industrial and otherwise.

But one real, impelling reason for holding the meeting here was that St. Cloud is probably more responsible than any other municipality in the state for the existence of this organization. At the time this organization was formed, some five years ago, the moving spirits were the then officials of this city. The first president of the organization, former City Attorney Jenks, did heroic work in moulding

and planning this organization and presiding at its meetings until, through illness, he was incapacitated.

So, on behalf of the members of this organization I again thank the mayor and the citizens of St. Cloud for their kind welcome. I think I may also at this time thank the Rt. Rev. Busch for giving us permission to use this beautiful auditorium for our meetings.

I think there is no danger in turning over the freedom of the city to most of us. Of course there are some in this organization who come from dry reg-

ions, who may be subjected to temptations in St. Cloud that they do not meet with when they are at home; but I hope and I believe from my past observation of them, that they will be able to resist these temptations manfully. And the meeting of the League, I believe, so far as what I might call the entertainment is concerned, I assure you, promises, from Mayor Freeman's outline, to be probably the most satisfactory that we have ever indulged in.

Again I thank you.

The President's Address*

O. H. O'NEILL

In accordance with custom, the President of this organization takes this opportunity to review the work of the League and to make such suggestions and recommendations as his experience in the office may suggest. There were a great many matters handled through the League since the last session in which I had no active part, and which matters will, no doubt, be fully covered by the other officers in their reports. My remarks will be confined to those activities of the League which came under my personal charge or under my direct observation.

Legislative Matters

The League at its last session gave some attention to the burden imposed upon municipalities by the gross earnings law exempting railroads from paying local assessments. This matter came up towards the close of the session, and its consideration was somewhat hurried, and as a natural consequence, a plan for relieving the muni-

cipalities from this burden did not receive the careful consideration to which it was entitled.

The League under these circumstances went on record as favorable to the Van Hoven bill introduced into the State Legislature on several occasions by Senator Van Hoven of Ramsey County, the purpose of which was to reimburse the municipalities out of the state treasury for local assessments that they might have paid and, which, but for the gross earnings law, would have been assessed against and paid by railroad properties. The Committee on Legislation was accordingly instructed to use its efforts for the introduction and passage of this bill.

The Legislative Committee and the executive officers of the League, in compliance with this desire of the organization, early in the legislative session of 1917, persuaded Senator Van Hoven to reintroduce his bill and commenced a campaign among the members of the Legislature for the purpose of securing its passage. The bill met

* Delivered at the Fifth Annual Convention of the League of Minnesota Municipalities St. Cloud, Minn., Oct. 17, 1917.

with strenuous opposition from the enemies it had made when before the Legislature at previous sessions, and seemed to have no champions except the representatives of the railroad companies, who naturally felt that the passage of the act would satisfy the municipalities without imposing any additional burdens upon the railroad companies.

Objection was made by the representatives of the rural communities that the effect of the act would be to deprive the State as a whole of a substantial part of the gross earnings tax for the benefit of the principal beneficiaries, the larger cities. The officers of the League early became convinced that the bill stood no chance of becoming a law and that there were substantial reasons why it should not be further urged.

In the consideration of the subject, the League officers had become further educated on the questions involved, and felt that they were justified in dropping the Van Hoven bill. This accordingly was done and a new line of legislation agreed upon which, it was felt, was right in principle and would do justice to the municipalities without taking anything from the state revenues, and at the same time place the burden where it in fairness belongs.

It being the fact that telephone, express, and sleeping-car companies under our law enjoy the same exemption from taxes and assessments as railroad companies do in consideration of the gross earnings tax, it seemed to the officers of the League that these companies should be included in the proposed legislation affecting railroad companies. With this idea in view,

three bills were drawn, the purpose of which was to deprive telephone, express, and sleeping-car companies of the exemption which they enjoy from special assessments.

These bills were introduced in the House by Rep. A. E. Bjorklund, of Ramsey County, and are known as House Files No. 806, 807, and 818, and were introduced in the Senate by Senator Chas. N. Orr, of Ramsey County.

About the same time, Rep. C. L. Stevens, of Marshall County, introduced a bill in the House, known as House File No. 950, the purpose of which was to change the gross earnings law so as to provide that the gross earnings tax should be in lieu of general taxes but not of assessments. Under the Constitution, before a bill of this nature can become a law, it must be submitted to the people for approval or rejection and be adopted by a majority of those voting at the election.

Opposition to all of these bills, especially those relating to the railroad and telephone companies, developed before the committees to which they were referred. Hearings were had from time to time which were attended by the officers of the League, and considerable work was done by the Legislative Committee in the way of circularizing members of the Legislature and getting members of the League to urge upon the representatives of their districts that they give their support to the bills.

While the opposition in the House was not able to prevent a favorable report from the committee on all of these bills, it was sufficient to delay this report and thereby postpone the passage of the bills until April 10th,

a week before the session closed. The bills did not get over to the Senate until April 12th, and though the telephone and express bills introduced by Senator Orr (which were duplicates of those on the same subject introduced into the House) had been favorably reported by the committee of which Senator Orr was chairman, there was no one sufficiently interested to make them a special order in the Senate, and they did not come to a vote, and, therefore, failed of passage. The Stevens bill, affecting the railroads, and the most important of the four, was referred to the Committee on Judiciary of the Senate, and there died.

I do not feel that the Senate committee which failed to report on this bill is to blame, in view of the few days which it had to consider and act upon it, as there were difficult legal questions affecting the bill which could not be disposed of in such a short time. The failure to get any of these bills enacted into law proves to my satisfaction that further efforts in favor of legislation on this subject or any other affecting large interests must be preceded by a campaign conducted among the members of the Legislature for some months before that body convenes.

Representatives of the corporations affected are in constant attendance upon the sessions of the Legislature, presenting their side of the question to members who probably never have had an opportunity to hear the other side. We must appreciate that it is difficult, during the hurry and press of business while the Legislature is in session, for members, no matter how industrious and capable, to investigate and comprehend all of the bills, or

even any considerable share of them, pending before that body. At such times, it is easy for expert and diligent lobbyists constantly on the job to confuse the issues and raise doubts as to the most meritorious measures in the minds of those who have had no chance to study the subject beforehand.

Some such confusion must have been created in the minds of those country members who voted against the bill in reference to subjecting the property of telephone companies to special assessments, because they were under the impression that its effect would be to impose heavy and unjust burdens upon independent telephone lines.

A large majority of the members of the Legislature are honest and fair and will pass any legislation which they are convinced is for the interests of the State as a whole. But they must be educated on the subject. I believe that considerable was done during the last session of the Legislature in educating both the members of that body and of this League.

If the League will decide definitely, after due consideration, just what legislation is needed, and conduct an aggressive campaign among the members of the Legislature, we can hope for relief from the unjust burdens imposed upon municipalities through the gross earnings tax system.

The Gross Earnings System of Taxation

The gross earnings tax in lieu of other taxes and assessments found a place in our law at a very early day in the history of the State; that is, during territorial days. In 1857, the four land grant roads, so-called, were char-

tered by the territorial legislature, and by the act of incorporation it was provided, in effect, that in consideration of the payment by these companies into the state treasury of a stipulated per centum of their gross earnings, they would be exempt from all other taxes and assessments.

After the admission of the state into the Union, similar agreements were made with practically all the railroads coming into the State during the 60's. It was later ascertained, however, through court decisions, that the attempts of the Legislature to place railroads under this system after the admission of the State into the Union, were in contravention of those provisions of the State Constitution providing for equality of taxation. This called for an amendment to the Constitution, and accordingly, in 1871, an amendment to the Constitution, authorizing this method of taxation, was submitted to the voters and adopted. This amendment also provided that any law for the repeal or amendment of any law or laws in reference to the taxation of railroads through the gross earnings system shall, before the same shall take effect, be submitted to a vote of the people of the State and be adopted and ratified by a majority of the electors of the State voting at the election.

The voters, in adopting this amendment, were apparently convinced that this method of taxation was so desirable and probably so burdensome on the railroad companies that if the matter were left entirely to the Legislature, that body might, at the instance of the railroads, repeal the gross earnings law. The effect of this Constitutional provision, however, has been

to fasten the gross earnings system of taxing railroads so securely as to make it most difficult to amend or repeal it.

It was contended by the railroads, and apparently acquiesced in by the courts of this State, that the territorial act of 1857, which contained no express provision authorizing amendments or repeal, constituted an irrevocable contract between the railroads and the state, and that so far as these four roads were concerned, the Constitutional provision of 1871 did not apply, and that the roads in question were forever immune from any other system of taxation or even an increase in the rate on their gross earnings provided for in the territorial act. It was not until 1908 that this idea was exploded, and the question set at rest by the decision of our Supreme Court in the case of State vs. Great Northern Railway Co., 106 Minn. 303, which held that the act of 1857 does not constitute an irrevocable contract, but is subject to repeal or modification as provided in the Constitutional amendment of 1871.

As other public utilities began to develop in the state, they sought to escape the burdens of local taxes and special assessments, in the same manner as the railroads had done, and were uniformly successful. From time to time the gross earnings tax system was applied to these various public service corporations until at the present time, in addition to the railways, the telephone, express and sleeping-car companies are also taxed on a gross earnings basis. For some reason which is not apparent, telegraph lines are not brought in under this system, but are taxed and assessed by the State Tax Commission on the unit basis at

the average rate of taxes, general, municipal, and local, levied throughout the State. This tax is in lieu of all other taxes, state and local, and is payable into the state treasury. Although the statute has never been construed on this point, it is probably not in lieu of special assessments levied against the property of telegraph companies.

The gross earnings tax system as existing in this state is unfair and excessively burdensome upon the municipalities. No persuasive or convincing argument can be made in favor of that portion which exempts the public utility from paying special assessments for local improvements. It cannot for a moment be argued that it is possible for any body of men to fix a gross earnings tax, based in any way upon the amount of special assessments the company would be called upon to meet from year to year. Special assessments, unlike general taxes, are made at irregular intervals and are not payable at specified times.

It seems that this is the only state where the Legislature and the Courts are committed to the doctrine that a gross earnings tax is in lieu of special assessments as well as general taxes. But even if the laws were so amended as to provide that the tax on gross earnings paid by these companies should be in lieu of general taxes only, they would still be enjoying an advantage over other owners of property and other lines of business. Under this system municipalities will continue to be burdened unfairly because of the large amount of property belonging to such companies located within their boundaries and exempt from local taxes. The business paying taxes on

the basis of its gross earnings is specially favored over other kinds. The amount of taxes which it pays rises when business is good, and falls when business is bad. No such consideration is given other properties in the state. The owner of a house which has been vacant cannot offer the loss of rents as a ground for the abatement of the tax assessed against his property; whether it earns or not, taxes are assessed and must be paid. The farmer cannot plead that his crop has been a partial or total failure and his income necessarily reduced as a ground for relief from taxes; nor can the merchant urge that his sales have fallen off and the taxes on his stock of merchandise should be correspondingly reduced. But the property of the railway company or other public utility subject to a gross earnings tax only may be more valuable this year than last, but because of the temporary falling off in earnings, its taxes will be correspondingly decreased.

As has been pointed out by a noted authority on taxation, it discriminates unfairly between companies and makes a line built at great expense and with great risk pay a penalty for the enterprise of its constructors. A gross earnings tax takes no account of expenses. Of two corporations which have equally large gross receipts, one may be in a naturally disadvantageous position which unduly increases the cost of operation or management. Clearly its ability to pay is not so great as that of its rival in possession of natural advantages.

This system of taxation does not prevail in many states. It was stated in 1913 by an authority on taxation that a tax on gross earnings in lieu of

all other taxes on railroads prevailed in only three states outside of Minnesota; these are Maine, Maryland, and California. In many states a gross earnings tax is imposed upon the earnings of railways which is in lieu of all state taxes, but the subdivisions, such as counties, towns, and municipalities, are left the right to impose taxes upon railway property for local purposes on an ad valorem basis as upon all other property. Some states which at one time taxed railroad property on the basis of gross earnings have abandoned this method and returned to the ad valorem system. Wisconsin adopted the gross earnings system in 1854, some three years before it was in use in Minnesota, and continued to collect taxes from railroads on this basis until 1903. Michigan had the gross earnings tax system as to railroads from 1873 to 1900, when it returned to the ad valorem system.

In those states where the ad valorem system of assessing and taxing railroad property is in effect, it is generally the rule to tax the system as a unit, this being done by a central authority, such as the state tax commission, and then to apportion the taxes collected among the governmental taxing divisions in which the railroad system is located.

It may be desirable from the public point of view that the gross earnings system of taxation should be applied to express, sleeping-car, and freight line companies and other corporations of a similar nature which have little tangible property in proportion to the amount of business they transact, but it does not seem that the same reasons could apply to railway and telephone companies, the property of which is

tangible and capable of being assessed and valued the same as all other property in the state.

It is probable that the gross earnings tax system as to railways met with such favor in this state in the early days because of the fact that it is certain, easily ascertained, and not susceptible of evasion. A further reason may be the fact that in those times the railroad companies, through the assistance of able counsel, unlimited means, and technical courts, were able successfully to contest their taxes on an ad valorem basis, and in doing this were fighting the local authorities only, and therefore, it seemed desirable to bring them entirely under state control where there would be little or no opportunity for litigation. With the increase in population, the ability of local authorities to take care of the interests of the community, and the advance which the courts have made in disregarding technical objections which would have been listened to thirty or forty years ago, these reasons for the existence of the gross earnings tax system no longer prevail.

As was pointed out, it is somewhat difficult under the constitutional provisions to amend the gross earnings tax law in reference to railroads. There is no reason why the taxing of railroads should be subject to a special constitutional provision requiring submission of every change in the law to the ratification of the voters of the state. If this provision of the Constitution were repealed in its entirety, the state legislature would then have power under the so-called wide-open-tax amendment to tax railroad companies on any just basis which it might see fit to adopt. There are no consti-

tutional provisions protecting the other public utilities from deprivation of the benefits of the gross earnings tax system. All that is required is an act of the Legislature, which, as to these companies, has supreme control in the matter of taxation.

Recommendation

I recommend that the entire matter of relieving municipalities from the injustice and inequalities of the gross earnings tax system be referred to the Legislative and Taxation committees of this body, with instructions to investigate the question as fully as may be and report to the next session of this League drafts of such bills as they believe will be sustained by the courts and give the needed relief.

Home-rule or Special Legislation?

Any one who has given attention to the making of organic law for municipalities cannot help reaching the conclusion that this matter is very much mixed in the State of Minnesota. This confusion has been contributed to by the Legislature, the Supreme Court, and by the municipalities themselves.

The constitutional provisions which contemplate for cities the abolition of special legislation and the enjoyment of home-rule have fallen short of accomplishing what was intended. The constitutional provision against special legislation for cities was adopted in 1892. The framers of the amendment and the voters as well believed that special legislation of all kinds constituted a great evil, and in reference to municipalities afforded a convenient means for city officers to raise salaries and create unnecessary jobs, and permitted interested persons to have measures enacted into laws which were not desired by the people of the cities affect-

ed. This positive prohibition against special legislation, if literally enforced, left the municipalities in a straight-jacket so far as any change or modification in their charters might be hoped for. It was seen at once that cities could not be legislated for along general lines when their situations and wants were so different; so special legislation under the guise of general legislation went on just the same, or at least to a much greater extent than was contemplated at the time the constitutional amendment was submitted and adopted.

Under these circumstances, every one desiring the best in municipal government welcomed the home-rule amendment to the Constitution authorizing municipalities to frame their own charters. It was thought that with this power to legislate for themselves, there would be no excuse for cities to come to the Legislature and ask that body to take up its time with matters which affected only a given municipality. It was generally supposed by those familiar with legislative matters that it would be practically impossible to procure legislation especially for any one city, and that therefore, all of them would be forced to adopt home-rule charters. It also seemed that the home-rule cities could not very well ask for special legislation at the hands of the State Legislature when they had power within themselves to adopt whatever special legislation they believed necessary for their respective communities.

In neither case have the expectations of the friends of good municipal government been realized. The Legislature has not kept its hands off cities operating under home-rule charters,

and for this failure the cities themselves, or at any rate their officers and prominent citizens have been almost entirely to blame:

Notwithstanding the constitutional classification of cities for legislative purposes in four classes, those having over 50,000 inhabitants, those having between 50,000 and 20,000 inhabitants, those having between 20,000 and 10,000 inhabitants, and those having less than 10,000 inhabitants, the Supreme Court at a very early date after the passage of the amendment, rendered a decision sustaining an act of the Legislature which legislated for a city of the "first class not operating under a home-rule charter." The same rule, applied to cities of the second, third, and fourth classes respectively, results in eight classes of cities instead of four, as expressly provided for in and by the Constitution. This decision brought considerable joy to the hearts of those who believed that home-rule or any rule by the electors is fanciful and foolish, and that all legislation in reference to cities should be framed and directed by a chosen few, superior in knowledge, in experience, and especially in property.

It so resulted that Minneapolis has been for some time the only city of the first class not operating under a home-rule charter, and Winona the only city of the second class similarly situated. One of the results has been that the larger portion of the time of the large Hennepin County delegation in the State Legislature has been taken up with the consideration and pushing through the Legislature of acts "applying to cities of the first class, not operating under a home-rule charter," thereby affecting only the City of Min-

neapolis. Looking back over the laws enacted during the session of 1915, in reference to cities of the first class, we find a total of thirty-one such acts became law; and of this number, twenty-eight are applicable to Minneapolis alone. In 1917 the Legislature enacted thirty laws in reference to cities of the first class, and twenty-seven of these are applicable to Minneapolis only, and three were passed at the instance of Duluth, a home-rule city, and none for St. Paul.

It seems to me that there is seldom any excuse for the Legislature to interfere with the affairs of a city governed through a home-rule charter, and this is true even though interested officers or citizens who claim to know more about the needs of the city than the electors may clamor for such legislation. There are always a great many "do-it-now" boys in the community who feel that if the usual time is taken to submit an amendment to the charter, embodying the law which they wish, much valuable time will be lost, and they therefore insist on carrying their troubles to the State Legislature. We have had many of these in St. Paul.

At the last session of the Legislature, when no special acts were adopted in reference to that city, there were at least seventy-five introduced by members of the Legislature, or persons or organizations of one sort or another who felt that either they could not afford to wait to submit their splendid proposition to the voters, or that the voters did not have sense enough to pass upon such a proposition. The attitude of the Mayor and Council of the City, however, was sufficient to pre-

vent any of these bills from getting through.

The claim frequently made that the electors of a city do not take enough interest in amendments to the charter to vote upon them intelligently, or even at all, is not borne out by the experience of St. Paul. The first home-rule charter of this City was adopted in 1900, and was amended in several particulars previous to 1912. At that time, a revision of the entire charter, embodying the commission form of government, with the initiative, referendum, civil service, and adequate provisions in reference to franchises, was adopted. The charter went into force in 1914, and at every election since then, amendments thereto have been submitted. These amendments have always aroused the greatest interest among the voters, and three of them have been adopted.

One form of legislation that has been pushed through the Legislature in reference to both classes of cities, that is, those operating under home-rule and those not, is bills authorizing the issuance of bonds through the action of the city council without submitting the matter to the voters. When a referendum is suggested, the friends of these bills become impatient, and meet the request with the statement that the voters will not saddle themselves with a bonded debt, no matter how urgent the need. This argument has been shown to be without force time and again in many of the cities of the state where the question of bonds has been submitted to a referendum.

The people of the City of St. Paul, at a special election held last spring, voted to bond themselves for the sum

of three million dollars for the purpose of erecting school buildings.

It would seem that people who are going to pay the principal and interest on the bonds have a right to be consulted, and that if they do not want to undertake the burden, no legislature or council has the right to impose it on them; and it makes no difference whether the judgment of the people in refusing to authorize the issuance of the bonds is good or bad. If they make a mistake in either authorizing or refusing the issuance, it is their mistake, and they, if any one, have the right to make mistakes with their own property.

The readiness of the Legislature to help out with special legislation is, no doubt, responsible in a large measure for the comparatively few cities operating under home-rule charters. The records of the Secretary of State show that on May 1, 1914, but forty-eight cities had adopted home-rule charters. In this list we do not find the names of such important cities as Minneapolis, Winona, Albert Lea, Chisholm, Little Falls, Owatonna, and Hibbing. It would seem that the Legislature might greatly increase this number of home-rule cities by frowning upon special legislation in their behalf. It cannot have a good effect on that body to have a large number of local municipal matters thrown in upon them, with which the members are not familiar, with which they cannot familiarize themselves without neglecting state-wide matter.

Where there are differences of opinion between the members of the Legislature representing the city desiring the special legislation, an opportunity for trading the votes of the city mem-

bers for votes on other measures is opened and frequently taken advantage of. The refusal on the part of the Legislature to legislate specially for the cities will soon force them to adopt home-rule charters, and the benefits would be substantial both to the municipalities and to the Legislature.

The Municipal Officer in the War

This meeting of the League happens during a most momentous period in the history of this country and of the world. Every individual has his part to perform and his share of the burden to bear in connection with the conduct of the war.

Not only every national official, soldier, and sailor is involved in this war, but also every citizen of the country. There is no way of escaping from its duties and burdens. Of the municipal officer, by reason of his public position, much is expected and demanded. His loyalty and patriotism must be above suspicion. His patriotism should be of the militant kind that manifests itself on all occasions.

In these times, it is the duty of every one of us, and especially of every public officer, to voice his devotion to our country and to give his loyal and active support to the prosecution of the war. The public official, high or low, who falters in this tremendous struggle for democracy, who by word, example, or insinuation, throws cold water upon the efforts of our Government, disparages the President, or impugns his motives, is giving aid and comfort to the enemy. He should be relegated to private life, there to end his days in the shadow of his disloyalty.

"Treason" is defined in the United States Constitution as "adhering to the

enemy and giving them aid and comfort." Any man who does not wish to see this country succeed in this war is giving the enemy aid and comfort and is guilty of treason.

Municipal officers should do their utmost to promote patriotism among their fellow-citizens. They should follow the example, within their respective spheres, set in this regard by the President and Congress. The national Government is making successful and unprecedented efforts to rouse and sustain our patriotism and our love of country. It is doing this by giving every one a fair deal, by keeping large interests from making undue profits, by preventing employers from exploiting labor, and by placing the burdens of taxation upon those best able to bear them.

The authorities have been trying to demonstrate, and have succeeded in demonstrating, that this is a government not only of and by the people, but also for the people. We believe and we know that our Government means justice and fair dealing for each and every one of us. We know now, if we had any doubts upon the subject before, that this war is not at the instance of the rich man, nor that he might add to his wealth, but a war for humanity and democracy throughout the civilized world.

The municipal officer as a leader in his community can do much towards stimulating patriotism among his fellow-citizens. He can do this, not only by his public declarations and approval of what the Government is doing, and his avowed support of the war, but by the way in which he administers his own office as well.

A citizen's patriotism burns in pro-

portion to the way in which he is treated by his Government, national, state, and municipal. A municipal officer, therefore, should be especially active during these times to second the efforts of the national Government and see that every citizen of his municipality gets a fair deal, that is, that the laws and ordinances are enforced as to all alike, regardless of corporate power, private wealth, or political pull. In short, his efforts should be to give honest and efficient government. A man may be exasperated into an anarchistic state of mind through an injustice done him by a municipality as readily as by the national or state government. It should, therefore, be the aim of municipal officers to see that everything is done to promote the welfare and happiness and loyalty of those within their respective cities and villages, in order that patriotic fervor in these times may rise to its highest degree.

Many new duties will be imposed upon the municipal officer from time to time without compensation, in connection with the conduct of the war. These tasks he should perform with the same feeling of duty and self-sacrifice which holds the soldier and sailor to face the storm of battle without a murmur.

We must at all times remember that we are citizens and officers, not only of the city or village where we hold office, but also of the United States, and that our first and most important allegiance is to our country. It is not without a purpose that all municipal officers of this state are required, when qualifying for the position to which they may have been elected or appointed, to take an oath of office. By this oath we bind ourselves to support the

Constitution of the United States. We are now being called upon to redeem this oath, and every municipal officer should show, by words and deeds, that he is anxious and willing to do so in any capacity to which he may be called by the national Government.

What I have just said in reference to loyalty and patriotism is not offered as anything new, nor even as something on that subject in a new dress. Many have expressed these ideas in most forceful and eloquent language, and according to our program, will do so again at this meeting, but I do say these things because I believe and feel them, because I fully believe that patriotism and loyalty are uppermost in your minds and hearts, and you are glad to hear love of country confessed even in halting terms; because I believe that every public utterance of loyalty and patriotism helps to hold the lines firm and staunch behind our soldier boys, helps to drive cowardice and treason into silent hiding, and helps to the ultimate success which is sure to crown our efforts in this war.

DISCUSSION

Mr. Hall (Red Wing): Mr. President, I notice in the convention notes that all papers and reports are subject to discussion by delegates. I would like to ask whether that refers to the president's address.

President O'Neill: It does.

Mr. Hall: If so, I would like to make this point, and ask that the matter be referred to the legislative committee of the League. I think we are all very much interested in discussion relating to home rule charters and the right of self-government which such charters give, although, as the Pres-

ident indicated, there are strings tied to this gift which very often pull it back. But, Mr. President, there is a constitutional provision to the effect that before an amendment can be made to the charter the proposed amendment must be published thirty times, if I recall rightly, in three newspapers, and our experience at Red Wing has been—and I presume it to be true in any small city—that it is a very burdensome, almost a prohibitory exaction. For example: recently we desired to make some amendments to the charter in regard to methods of special assessment, and we sat down to figure out the cost of publication. Having there two daily papers and one weekly paper, we found that unless we could come to some terms with the papers it would cost us over eight hundred dollars to submit the amendments. Now it seems to me that a publication of thirty days, once each week, in each paper would be sufficient. Our Supreme Court has held that the thirty-day provision must be absolutely complied with, and if your papers happen to be daily papers you are at the mercy of the publishers.

I respectfully suggest that the matter be referred to the Legislative committee to see if it would not be advisable to have that part of the constitution amended by popular vote, so as to do away with such prohibitory expenses in submitting amendments.

President O'Neill: The trouble with that part of the constitution is similar to the trouble with other parts of our constitution. It has details which should never be part of an organic law. Two lines in the constitution authorizing the legislature to pass laws which would empower cities to make home

rule charters would answer the purpose fully, so far as the constitutional provision is concerned, and the legislature should attend to the details.

Do you make that as a motion, Mr. Hall?

Mr. Hall: I do, Mr. President.

The motion was seconded.

President O'Neill: The motion is that that part of the President's paper in reference to home rule charters be referred to the committee on legislation of this organization, to make such recommendations and report at the next session of the League as they may deem advisable. Is that the purport of the motion?

Mr. Hall: Unless some report could be made at this session.

Mr. Dwan (Two Harbors): It seems to me, from what I understand, that the President's address is open for discussion, and while I haven't any objection to the motion that is made it seems to me as though it might be better to make this reference after the discussion is over. Possibly the whole matter would be elucidated somewhat and opinion crystalized a little on it before the discussion is over, and it seems to me that it is just a little premature to refer any portion. In fact I think the motion covers one additional feature, does it not, Mr. Hall, than the one stated by the chair?

Mr. Hall: Yes.

Mr. Dwan: I think I would be opposed to referring this at this time if there is to be general discussion on the paper either at this time or at a later time.

Mr. Hall: Mr. President, I am willing to withdraw my motion until after the discussion on the paper.

President O'Neill: It was not con-

templated when the program was arranged and when I prepared this paper that there would be very much discussion on the paper in a meeting of the League. The recommendation to send the recommendations that I make in reference to the gross-earnings tax, to two committees—the committee on legislation and the committee on taxation, to frame such legislation as those two committees might think wise would take care of the situation, report to be made at the next session of the League, there being no session of the legislature between now and the time of the next session of the League. It seems to me that if the League thought well of that, that would take care of that part of it, and the request of Mr. Hall would be complied with by referring the recommendations in reference to cities or the home rule provisions of the constitution to the legislative committee as well.

Mr. Hall: Mr. President, as there is no session of the legislature between now and the next meeting of the League, of course the matter could just as well be reported back at the next meeting of the League. That would be perfectly satisfactory.

President O'Neill: As the matter stands there is only one motion before the house, and that is Mr. Hall's motion to refer that part of the President's paper in reference to home-rule to the legislative committee.

Secretary Price: I think the motion

was withdrawn.

President O'Neill: Or did Mr. Hall withdraw the motion? If so, as the matter stands now there is not any motion before the house.

Mr. Hall: Mr. President, I said I was willing to withdraw the motion. I don't know that it has been withdrawn. With the consent of my second, I would like to make a substitute motion which would bring the matter before the house, and that is to refer the recommendations of the president as given in his address, and in addition that the matter of the publication of home rule charters be likewise referred.

The President: Do you make that as a motion?

Mr. Hall: As a substitute motion, with the consent of the second.

President O'Neill: Does the second consent to the substitute?

The Second: I do.

President O'Neill: The motion, gentlemen, now is that the recommendation of the president referring the gross earnings tax to the legislative and taxation committees be adopted, and that that part of his address in reference to home-rule or special legislation be referred to the legislative committee. Is there any discussion? (None) All those in favor manifest by saying aye; contrary minded no. The ayes have it and the motion prevails.

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Report of the Secretary-Treasurer*

The League of Minnesota Municipalities is a co-operative enterprise, in which membership is held by cities, towns, and villages, and not by individuals. The membership, therefore, is more or less permanent and should not be adversely affected by the customary changes in the ranks of municipal officers. It is important to know that this is a co-operative enterprise. The League is owned, directed, and managed by its own membership. There are no salaried officials. The aims of the League are comprised in joint and common efforts for the common good. The aim is to develop municipal efficiency from governmental and administrative standpoints through investigation, discussion, favorable legislation, and common action.

From the foregoing statement it may be gathered that it is a great mistake for any town to join the League for the sole object of getting something. Each town should be a contributor as well as a receiver of benefits. The Secretary's office, in conjunction with the Municipal Reference Bureau, aims to circulate among the membership towns the latest news and the best municipal practices in the various lines of municipal activity. It must be emphasized, however, that if the towns all join the League for selfish motives, the League cannot attain its best usefulness. As each membership town comes to realize that its part is to contribute to the common stock as well as to receive the benefits of the experiences of others, so will this organization become most useful

and effective. The Secretary's ideal for the League is that of a brotherhood of municipal organizations, each attempting to outrival the others in generous ardor to contribute from its own experiences and researches something worth while to the common stock and each also eager to avail itself of and to benefit by the past experiences of other towns. In order to attain this result two things at least are necessary: (1) that every officer of every membership city be imbued with this spirit of give and take; (2) that a record of the successes and failures of the membership towns in all sorts of municipal enterprises should be filed with the Secretary for use in the Municipal Reference Bureau so as to become available for all membership cities. Municipal government is a fascinating and progressive science, and a science for which great collections of data, principles, and laws are being accumulated. It is also an art and for the practice of this art experiences and methods are being studied and adopted. All this argues for the necessity of a common source of information for all of the cities, towns, and villages of any given state.

For this reason membership in the League should be inclusive of every municipality in the state. The more nearly we attain to one hundred per cent of membership, the more nearly will this organization be truly efficient and answerable to the needs of the membership towns. It should be added that the state organization should keep in touch with the organizations of other states and with national or-

* Presented at the Fifth Annual Convention, Oct. 17, 1917.

ganizations so that all this information might be available to our own members. This has been done, as will be shown later in this report. It should be emphasized that as yet we have not secured the most perfect working efficiency in our campaigns for securing new memberships and retaining intact old memberships. Your Secretary fears that we are now approaching a state of stable equilibrium in which the membership will fluctuate a little above and a little below a certain given figure. If a more perfect co-operation could be established between the Secretary's office and the League's membership committee so that the two would operate in conjunction and simultaneously to bring an immense amount of influence to bear on the cities and towns and villages which have not yet joined, I am sure that a very notable addition could be made to our membership.

One of the unfortunate conditions with which we have always to contend is the unstable and variable tenure of office of our municipal officers. We shall never have in this state municipal government as a carefully studied and scientific procedure until the people become firmly impressed with the desirability of retaining in office for indefinite periods their worthy city officers. Even a poor city officer may by constant training and experience for years become very satisfactory in the performance of his duties. On the other hand, a very excellent, progressive, and enterprising new officer generally makes many blunders before he learns the ropes. May the day soon come when we shall have the wisdom to follow the practice of the well gov-

erned European cities by developing municipal administration as a vocation to which a man may legitimately devote himself as a life work! There is already a perceptible drift in that direction. The rapid growth of the city manager idea is a clear indication of the necessity felt by our growing cities of having a permanent official whose business is the administration of the city's affairs. In the meantime, it is the duty of every patriotic citizen to do everything in his power to cultivate this idea of municipal service among city officers. We must also see to it that progressive and successful citizens may feel it to be a patriotic service to accept the burden of city offices with its trials and responsibilities. Every effort should be made to train these men and to give them the benefit of the experience of others. And the best way to do that is to induce them to bring their cities into the League, to attend the conventions faithfully, to read our publication regularly, and to make large use of the Municipal Reference Bureau. A report of the work of this Bureau for the past year will be made by Mr. E. L. Bennett, the Secretary of the Bureau and Executive Secretary of this League.

It is a pleasure to be able to report at this time that the past year has been on the whole the most successful year in the League's history, both from the standpoint of membership and from the standpoint of work accomplished. This is to be expected and to be desired, since this is a growing and expanding organization, and should never stand still, much less drift backward. Among the things accomplished are the following:

The Magazine

The League's bi-monthly magazine, MINNESOTA MUNICIPALITIES, has steadily grown in excellence, so that it may now compare very favorably with the very best of municipal magazines anywhere. There have been a few additions to the subscription list from private individuals and from public institutions. The receipts from advertising have more than doubled during the past year. We confidently believe that if our membership officials would always insist that firms which attempt to sell supplies to the cities carry regular advertising in this magazine, our receipts would more than double again the coming year.

Let every city official do two things: (1) ask every agent or solicitor for city business to advertise in the magazine; and (2) deal by preference only with firms which carry regular ads in the magazine.

Membership Certificates

A new step during the past year has been to provide membership cities with certificates of membership to be inserted in a neat nickel plated steel hanger. This hanger in the office of the city clerk or mayor will give visible evidence of the fact of the city's membership in this co-operative organization. The certificate is renewable each year and is to be inserted in the metal hanger. The city officers seem to be pleased with this certificate of membership.

Coal Prices

On August 4, 1917, this League, through its officers, joined in a memorial to the Federal Trade Commission made by the Utilities Bureau. This memorial was relative to the establish-

ment of reasonable, maximum prices on coal. We are of the opinion that this memorial, which was joined in by six different municipal leagues, had some effect in producing the present plan of government regulation of coal prices. Of course at present it still remains to be seen how effective government regulation of coal prices is to be and how reasonable the prices will be. The League will stand ready in the future, as it has in the past, to join in every effort made to keep coal prices within reasonable limits.

Legislative

During the session of the legislature, the League purchased sets of the Legislative Journals and kept close track of all legislation, whether favorable, or unfavorable, which affected Minnesota cities. While we were not successful in getting through any legislation, we are able to report that nothing vicious or crooked concerning cities was able to get through. The Legislative Committee will undoubtedly furnish you with a more detailed report in this connection.

Septic Tank Litigation

On August 16 last, I was invited to represent the Minnesota cities in a conference at Chicago of the National Septic Process Protective League. This conference was held for the purpose of deciding whether the League should get behind the city of Shelbyville, Kentucky, in resisting the collection of license fees and damages by the Cameron Septic Tank Company. Questionnaires had been sent out previously to the membership cities, so that at the conference the opinions of the cities were generally expressed. There were some fifteen or twenty

delegates present, representing organizations and cities from all parts of the country. A conference was held with representatives from the office of Mr. Wallace Lane, who is acting as counsel for the league and for the city of Shelbyville. He expressed entire confidence in his ability to win the case and urged especially that it be not abandoned at this time. The city of Shelbyville was unwilling to undertake the entire expense of a defense of the suit. It was pointed out that if the Cameron people win the Shelbyville suit by default, they would thereby obtain a very great leverage for obtaining license fees from all other cities in the country which may use the septic tanks. It was, therefore, unanimously agreed that the National Septic Process Protective League join with the city of Shelbyville in a defense of the suit, and it was agreed that the fees heretofore collected from the cities in the several states should be made annual dues to be renewed until the suit is finally settled by a decision from the Supreme Court of the United States. Your secretary, on his return from this meeting, made a complete report and recommendation to the above effect to all of the Minnesota membership cities. This report may be found in full in the October number of MINNESOTA MUNICIPALITIES. The expenses of the Secretary's trip to Chicago for this purpose were borne as follows: one-half by the National Septic Process Protective League, and the other half by the Minnesota cities which hold membership in that League. This amount has all been reimbursed to the treasury of the League of Minnesota Municipalities with the exception of \$3.33.

Office Needs

Your secretary regrets to report that the last legislature was not as favorably inclined toward the work of the General Extension Division of the University of Minnesota as had been anticipated. Our nation's participation in the war and the consequent desire for retrenchment is probably largely responsible for this rather than any hostility to the work of the Extension Division. However, the result is that there was no increase in our appropriation and some additional service which we had planned to render the state and this League, through our Municipal Reference Bureau, had to be abandoned. For instance, we had planned to attach to our staff a municipal engineer whose services would be available to city officers in an advisory capacity. This very hopeful plan of service had to be abandoned for lack of funds. Moreover, the stenographic work in connection with the Municipal Reference Bureau has increased so materially that additional help became necessary. Such additional help we had planned to furnish, as heretofore from Extension funds. Because of the failure to obtain increased funds in our appropriation, this plan also had to be abandoned. With the consent of the League's executive committee, however, we have employed a stenographer on half time during the past month at the expense of the League. We are now asking the League to continue this half time stenographer during the coming year. It is quite possible that by the end of this year the work will have increased so much that we shall have to have the stenographer's full time. However, we do not feel that under

the circumstances this is an unreasonable expense for the League to assume, since the University furnishes quarters for the League's work, furnishes the light and heat and also the services of the Secretary-Treasurer and the Executive Secretary. It must be borne in mind that the latter now also has assumed the somewhat onerous burden of editing MINNESOTA MUNICIPALITIES. In order to make the services of the half time stenographer always available, we are also requesting that the League authorize the purchase of a typewriter for the League's work.

Liberty Loan

When the first United States Liberty Loan of 1917 was floated, the League had some available funds and it was thought desirable that this organization show its patriotism by purchasing a bond. With the consent of the executive committee, a bond for one hundred dollars was bought and is now a part of the assets in the possession of the Secretary-Treasurer. It is also planned to invest another hundred dollars in a bond of the second Liberty Loan which is now being floated. We are requesting the League to authorize the Secretary-Treasurer to buy bonds of the succeeding issues to the extent that funds are available and may be used without crippling the other activities of the League.

Relations With Other Organizations

We are maintaining exchanges of magazines and also co-operative relations of other kinds with other leagues and other municipal agencies of different sorts. It is our effort to keep closely in touch with the municipal activities of the United States. I therefore recommend that our Ex-

ecutive Secretary be authorized to attend the annual convention of the National Municipal League at Detroit next November at the expense of this League.

Exigencies of War

The minds of the general public, as well as of city officers, are now engrossed with thoughts and problems arising from the state of war in which this government now finds itself. It is my opinion that this League, therefore, through its resolutions or otherwise should put itself firmly and unequivocally on record as standing firmly behind our Federal government in the vigorous prosecution of the war which has been forced upon us. We cannot afford to qualify our protestations of loyalty with an "if" or a "but". Occupying official positions as we do, our attitude should be unwavering and unmistakable.

Restrict Non-Essential Activities

We sometime hear the statement "business as usual" as a slogan for all during the war. I believe that this slogan is a bad one because in the nature of things it cannot be carried into effect. There can be no business as usual when the United States is engaged in the most momentous war in history. This is a poor time for carrying on municipal improvements and I believe that city officers should avoid in every way possible any action that will add extra expenditure and special assessments to the burdens of the people. The biggest business of the day is to carry on the war to a successful issue, and this is going to require the unremitting efforts and concentrated activities of all. The fact that we have

sent over a million men into the army is bound to have an effect on the labor supply. Materials of all kinds are exceedingly expensive. I believe it is good advice to the municipal officials to tell them to carry on municipal work during the duration of the war with the utmost economy and to undertake no new work unless forced to do so by absolute necessity. Especially should cities avoid making use of structural steel, concrete, lumber, and other similar materials which are so much in demand for the work of the government. Pavements, bridges, sewers, municipal buildings are all very fine, but most of them can be postponed until after the war. Municipal activity might very well, therefore, confine itself during these strenuous times to the improvement and betterment of the municipal works that have already been constructed and are already in operation. Mr. Pierce of the Iowa League advises very wisely as follows:

"Instead of adding to your water mains at an almost prohibitive price for pipe, spend your time bringing the waterworks you now have up to the most economical operation possible. There is hardly a municipal waterworks system in the state, but that the people in charge could well afford to spend several months carefully considering all the conditions to see where and how the plant and the service could be improved.

"Instead of building new pavement, see that those pavements that you now have are brought into a perfect

state of repair. Instead of building new sewers, see that your people connect with the sewers you already have. In other words, do what every good citizen does every so often, take an invoice of all of your municipal enterprises that you now have and see to it that they are being operated in the best possible way and to the best possible advantage or your citizens."

This is excellent advice and I should like to endorse it and impress it upon you. Please bear in mind also that whereas labor is now scarce and high, at the close of the war there will be many khaki-clad men looking for work. They will be back with their long neglected tools, seeking to resume their places in the orderly processes of our industrial life. It will be a fine thing if at that time the towns and villages which have been holding back their improvements should blossom out into a perfect fury of activity so that all of our worthy soldiers may easily find remunerative occupation in civil life. If we have an abundance of work on hand for these soldiers to do as soon as they return, the problem of the adjustments after the war will be materially simplified. In the meantime it is well to remember that any man who is now engaged in making steel for a building or a bridge to be erected in a Minnesota city is not making munitions or cannon or ships to win the war.

MEMBERSHIP

Up to October 15, when this report was prepared, one hundred and twenty-six cities, towns, and villages have

come into the membership of the League during the year. The following is the list:

Ada	Grygla	Proctorknott
Aitkin	Hancock	Red Lake Falls
Albany	Hartland	Red Wing
Albert Lea	Hastings	Redwood Falls
Alexandria	Hendricks	Rochester
Anoka	Herman	Rush City
Aurora	Hibbing	Rushmore
Austin	International Falls	St. Cloud
Balaton	Janesville	St. Louis Park
Bemidji	Kasota	St. Paul
Barnesville	Kasson	St. Peter
Benson	Keewatin	Sauk Centre
Bigelow	Kenyon	Sauk Rapids
Biwabik	Lake City	Seaforth
Blackduck	Lakefield	Sebekka
Blue Earth	Little Falls	Shakopee
Breckenridge	McKinley	Sleepy Eye
Brewster	Madella	South St. Paul
Brooten	Mahnomen	South Stillwater
Buhl	Mankato	Spooner
Butterfield	Marble	Staples
Caledonia	Milaca	Thief River Falls
Canby	Milan	Tonka Bay
Cannon Falls	Minneapolis	Tracy
Chaska	Minnetonka	Two Harbors
Chisholm	Beach	Vernon Center
Coleraine	Montevideo	Virginia
Deerwood	Morris	Wabasha
Detroit	Mountain Iron	Waconia
Dodge Center	Nashauk	Wadena
Duluth	New Brighton	Warren
Elk River	Northfield	Watertown
Ellsworth	New Ulm	Wells
Ely	New Prague	West
Emmons	New Richland	Minneapolis
Eveleth	Norwood	Wheaton
Faribault	Ogilvie	White Bear
Fergus Falls	Osseo	Willmar
Fertile	Oslo	Winnebago
Frost	Parker's	Winona
Gilbert	Prairie	Worthington
Glenwood	Plummer	
Goodhue	Pine Island	
Granite Falls		

During the year fifteen new members were received into our organization as for the year 1916-17. They are the following:

Alexandria	Fertile	New Prague
Brewster	Grygla	Sebekka
Ellsworth	Granite Falls	Vernon Center
Faribault	Lake City	Watertown
Fergus Falls	Madella	Waconia

For the year 1917-18, fourteen new members have been received. They are the following:

Anoka	Hendricks	Pine Island
Barnesville	McKinley	Parker's Prairie
Brooten	New Richland	Proctorknott
Elk River	New Brighton	Redwood Falls
Hartland	Oslo	

Of the total membership of one hundred and twenty-six municipalities, seventeen have up to this date not paid their dues for the year 1917-18. It is to be hoped that some of these towns will yet come in before it is too late. It is our custom to drop from our list as delinquent the name of any town which has not renewed its membership by the time the annual convention is over. These delinquent towns on October 15 are as follows:

Alexandria	Kasson	Seaforth
Bemidji	Mahnomen	Waconia
Bigelow	Milaca	Watertown
Breckenridge	Milan	
Grygla	Red Lake Falls	Wells
Hancock	St. Paul	Winnebago

It should be stated that since this report was made the dues of Winnebago have been received.* Of these delinquent towns only one, Red Lake Falls, has formally notified us to drop its membership.† During August the secretary's office sent notices and statements of account to all the membership towns and during the next month two more urgent reminders were sent, urging the officers of the cities to make prompt renewal of their membership. It should be stated that this showing of only sixteen delinquents out of one hundred and twenty-six towns is the best showing we have ever made. After the convention it is the secretary's purpose to make another effort to bring these cities into membership. The fact that membership dues have not yet been remitted is sometimes to be ascribed to neglect or oversight on the part of an officer. Sometimes a city council authorizes

* The dues of St. Paul and Bemidji were handed in at the Convention. Wells' remittance has since been received

† This notification has since been rescinded and dues sent.

the expenditure and the clerk forgets to send in the warrant. At other times the council simply overlooks the entire matter in spite of repeated reminders from the secretary's office. Moreover it should be remembered that there are always new officers who have to be educated with reference to the value of membership in the League. These new officers, not knowing the value of a membership in this organization, often allow the membership to lapse. It is a pity that these officers cannot be impressed with the fact that the value of membership in this League is cumulative; the longer a town belongs, the more benefit it gets from membership.

Financial Report of the Treasurer.

This financial report, together with the vouchers, cancelled checks, check book, and duplicate receipts is hereby submitted to the auditing committee.

Receipts

Oct. 20, 1916—Balance carried over	\$1 115.77
Rec'd from advertising in magazine	340.49
Rec'd from subscriptions to magazine	31.85
Miscellaneous receipts	43.28
Rec'd from dues of cities	1,522.50
Total receipts	\$3,053.89

Expenditures

Expended for postage	\$ 201.67
" " printing	852.30
" " office expense	107.07
" " miscellaneous items	311.94
Total expenditures	\$1,472.98
Oct. 15, 1917—Balance on hand	\$1,580.91
The balance on hand is made up as follows:	
In bank according to bank statement October 15, 1917	\$1,490.21
1 U. S. Liberty Loan bond—3½%	
—Number 92255	100.00
	1,590.21
Less 3 checks outstanding—Nos. 224, 229, 230	9.30
	\$1,580.91

There are bills receivable now due from advertising to the amount of \$78.51 and we have future advertising contracts amounting to about \$250. As an offset we have bills payable for printing, engraving, and telephone calls in connection with the annual convention to the amount of \$61.15.

The detailed account of these receipts and expenditures may be learned from the itemized statements in the Treasurer's books which will be handed over to the auditing committee. The following statements, however, should be made here:

1. The item of postage \$201.67 is somewhat lower than the similar item for last year. However, under the new war revenues act we may expect our postage account for the coming year to be increased fifty per cent.

2. The item of printing, \$852.30, is about fifty dollars larger than was the similar item for last year. This may be accounted for by the increased price of stock and of other materials entering into printing. Of course, the heaviest item is the cost of the new magazine, which amounts to \$105.00 to \$150.00 per issue.

3. The charges under the head of office expense have tripled since last year. The expenses connected with the new magazine largely account for this increase. Additional outside office help has had to be engaged each month for mailing the magazine. Only five months' expense of this kind was included in last years' account. There is a very considerable item of exchange on warrants for League dues which might be avoided if dues were sent in the form of bank drafts.

4. The largest items under the head of miscellaneous payments are \$135.52

for reporting the annual convention and \$52.50 for the metal hangers for membership certificates. The total amount under this head is \$311.94. Of this \$46.60 was incurred as expense of your secretary to the Chicago conference of the National Septic Process Protective League. Of this, however, \$43.28 was refunded, leaving a net total under this head of \$268.66.*

5. It is gratifying to note that we have some offsets to the expense of publishing the League's magazine, MINNESOTA MUNICIPALITIES. During the year we received \$31.85 in payments of subscriptions to the magazine and \$340.49 in payment for ad-

* Later: A refund of \$3.33 received balances the Chicago trip account and reduces the net to \$265.33.

vertising. This is a very considerable offset to the eight hundred odd dollars which it costs to publish the magazine.

6. The balance of \$1,580.91 which we carry over this year is the largest balance we have ever had at our annual convention. It will of course be understood that much of this is unearned dues. This amount will have to carry us through the coming year covering all expense of publishing the magazine and other additional expenses of circularizing and similar items.

It may be stated, however, that the League is in a prosperous and growing condition.

Respectfully submitted,

Richard R. Price,
Secretary-Treasurer

Regulation Relating to Water Supply, Sewerage and Refuse Disposal

The following regulation was recently issued by the State Board of Health.

"200. No system of water supply, sewerage, or refuse disposal for public use which affects or tends to affect public health, shall be installed, nor shall any such existing system be materially altered or extended, until complete plans and specifications for the installation alteration, or extension, together with such information as the State Board of Health may require, have been submitted in duplicate and approved by the Board so far as relates to their sanitary features. All construction shall take place in accordance with the plans as approved, whether with or without modification. Whenever any governing body of any municipality having charge thereof shall determine that there shall be any material change in the plans, construction, or operation of any such system, such gov-

erning body shall submit to the State Board of Health, in duplicate, a detailed statement of such action or such contemplated changes before it shall enter upon the making of such changes or enter into any contract therefor or any part thereof, and then such changes shall only be made after approval as to all matters liable to affect public health, by the State Board of Health."

The city of St. Cloud has resolved to act in accordance with the League's resolution recommending municipal economies. No improvements will be undertaken which can without injury be deferred until after the war. The municipal offices will be moved from rented quarters to rooms on the second floor of the new city jail. The total budget shows a slight decrease from that of last year.

Which Shall It Be—"Kultur" or "Civilization"?

By HON. W. D. L. HARDIE, President of The Union of Canadian Municipalities
and Mayor of Lethbridge, Alberta.

Kultur

In a great war—the greatest war the world has ever known—there are two ideals of civilization contending for the commanding place in the world: that of "Kultur," represented in the German doctrine that "Might is Right," and "Civilization," as Anglo-Saxon Countries understand it, that "Justice is Right".

Germany's Place in the Sun

That "Kultur" might have what the Germans called "Germany's place in the sun" that nation, with a combination of allies, Austria, Turkey, and Bulgaria, practically raped the civilized world, especially the Christian part of it.

Treaties Scraps of Paper

To gain her object, Germany declared solemn treaties but scraps of paper, and marched through Belgium destroying property, raping and otherwise violating women, murdering the aged and young, and enslaving the able-bodied without regard for even the amenities of war which are none too many at the best. Her allies raped and destroyed poor, wee, but heroic Serbia, without the smallest of reasonable excuses. She simply wanted to destroy that little nation to get her out of the way because heroic, liberty loving people are always a nuisance and a danger to tyrant bullies.

Austria and Serbia

But Austria forgot for the moment the great history behind the Serbian

race; she forgot the battle of Kassoovo where the heroic Serbians sacrificed themselves almost to a man, in the defence of their liberties against the Turks, away back in 1371. A great Empire cracked at that battle and a liberty loving people have suffered nearly 600 years of bondage since then, but never, in all that period, has there been a moment when hope of absolute freedom was blasted entirely. They have been fighting and contending for freedom all these years, and lately have been gathering a little at a time until a new Kingdom sprang up where there was but little prospect, a generation ago. This Kingdom embraces only about 4,000,000 of Serbians while there are 10,000,000 more scattered throughout the Balkans and the Austrian Empire. All these are praying and hoping for the day when "Civilization" shall replace "Kultur," that justice will supplant might and that they will be permitted to reassemble under the one head of a great limited monarchy that shall stand for equality and justice before the world. The Turks took away their liberty then, but the time is at hand when the scales shall balance once again. Let me relate a little of early Serbian History.

Serbia and Freedom

Eight hundred years ago, when England was beginning to settle down under the Norman Conquest, the Serbs were founding for themselves a great empire. They were then a set of scattered tribes who, in unknown times, had wandered from the Ural Mountains into the Balkan Peninsula.

* Address delivered before the Fifth Annual Convention of the League of Minnesota Municipalities, October 18, 1917.

Gradually they drew together and finally became a power in the East.

Under Emperor Dushan, bravest and wisest of rulers, the Serbian people built up an empire which comprised the whole of modern Serbia, Bos-



Hon. W. D. L. Hardie

nia, and all of Montenegro that was at all desirable. Even the proud Bulgars had been brought beneath her sway. Then having conquered for his people such an empire he began to consolidate it. He improved the laws in many ways, advanced education and morality, and gradually uplifted the standard of civilization amongst the people. But disaster threatened from the very start.

Disaster to Serbia

The Turks, a race whose power was only then beginning to be felt, and who were strong through the unifying

influence of a fanatic religion that promised Heaven without fail to all who worked for it and fell upon the battle-field fighting for its propagation, grew jealous of the great success attained by the Serbs and so began a series of encounters extending over years and ending only in the great battle of Kassovo. The Turkish army overthrew the Serbs at Maritza near Adrianople. Then the Serbian Empire began to crack and crumble. Steadily the Turkish encroachment proceeded until the oppression became unbearable and, old as he was, Tzar Lazar made a bid for freedom. Gathering a vast host of Serbians, Albanians, and Bosniaks he met the Sultan Murad Amurath upon the fateful plan of Kassovo on the 28th of June, 1389.

The Battle of Kassovo

On that day the whole plain of Kassovo was a mass of steel. Horse stood against horse, man against man. The spears formed a forest and the pennons obscured the sun. There were no guns to boom, but the noise was so terrible that the Angels forgot to sing their hymns to God. The slaughter was beyond description—terrific. Men fell in heaps and still the rest fought on. The dauntless Milosh Obilitch, in the almost hopeless hour of his country's defeat, crept to Sultan Murad in his tent and stabbed him to death in the hour of his victory over the Serbs.

Serbia's Judas

But poor Serbia had a Judas on that terrible day. All day long the battle ebbed and flowed, with a fair chance of success for the Serbians, until it reached its height and then the great betrayal came; Vick Biankovitch, that

Judas of the Serbian cause, at the vital moment, turned and fled with 12,000 of whom he had been given command. It was this betrayal that decided the fall of Serbia.

Serbia's Slavery

Five hundred years of slavery followed. After this period, unconquerable as ever, the Serbian people rose once more. Under the great and brave hog raiser, known later as Kara George (Black Prince) they began a fight for freedom. The struggle was long and Kara George lost heart, but one of this lieutenants, the peasant Obren, continued the fight until victory was won and Serbia became a nation once again.

Obren King of Serbia

Obren was elected King. Here again tragedy began. Kara George desired the crown which Obren steadfastly refused to give up. Vendettas sprang to life and at last Obren's dynasty, as represented in King Alexander and his consort Queen Draga, was overthrown on June 10, 1903, and King Peter of to-day is the lineal descendent of Kara George. He has said "I am glad I am merely the crowned President of a Republic and for the presidency I care more than for the crown. I am not a King in the old, and I think bad sense of the term: I am proud because I am King in a sense much the same as that in which King George of England is King—King of a people who are free; King as it were of a Republic."

Since the outbreak of the war, the misery, suffering, and heroism of the Serbs are too well known to require relating. That country's history and its poor people's sufferings are practically a replica of poor Belgium. Oh, the outrage of it all fairly makes one's

blood boil; and to think all these bestialities are the children of German Kultur.

Belgium

But to return to Belgium for a moment. You will remember there was a committee appointed, with Lord Bryce, the author of the great American Commonwealth, to investigate the atrocities committed by the Germans in Belgium. That Committee sat as trial judges, imposing all the rules of evidence employed in our courts; nothing was admitted that would not stand the test of clear evidence. The following case is given in detail in that committee's report, but is burnished up by a gifted writer, as follows.

Belgium's two Nuns

"A faithful member of the Roman Catholic Church saw the German Army advancing towards a nunnery in Belgium, and knowing something of that Army's behavior in other parts of Belgium, ran forward to notify the sisters and advise them to flee. Of about seventy-five, all fled but two, Sister Marie and Sister Anna—the first an elderly person and the latter a very young nun—who decided they would stay to water the plants and take care of the holy things, never believing for a minute that even German soldiers would put them to mental or bodily harm. The German soldiers came and entered the building. Later the two nuns were seen wending their way down the road towards the border, to a small town. In this town these two sisters nursed the sick and closed the eyes of the dead, in tender mercy. Ten months later the elder nun was seen to wend her weary way towards the Bishop's Palace. She was weary, worn, and emaciated. The Bishop

readily granted her audience, because he had heard, with pleasure, of the good work the two sisters had been doing in nursing the sick, the wounded, and the dying.

"In the course of the conversation, the Bishop asked about Sister Anna. Poor Sister Marie looked past the Bishop's benign face into Heaven and said 'She is dead, and the baby died too'. The old man's face hardened and looked as if he would call down the curse of Rome upon the beastly Hun soldiery, but he held his wrath and said, 'And Sister Marie, how about you?' 'O, Holy Father, please give me your blessing, if possible, but I too have not escaped,' and with this her last expression, fell dead at his feet."

This true story and thousands of others more hideous and heinous, tell but little of the miseries of poor Belgium and her people and mark down "Kultur" as one of the least desirable things in the world, mark the teachings of Nietzsche, Treitschke, and Bernhardt as the writings of the gospel of death and shame to all excepting the junker class of Germany.

Northern France

And what do we find in Northern France — beautiful France and her comely women. She could scarcely be worse off than Belgium, and perhaps she is not but she is certainly as badly off and maybe worse, in as much as her lands, orchards, vineyards, and everything else are being laid waste to such an extent that a generation will not bring them back to productivity, entailing misery upon misery — needless misery — upon generations to come.

Frederic Villiers

Frederick Villiers, the great war correspondent, who has been through over twenty campaigns, told me that words will never tell nor history relate the awful outrages that have been perpetrated by the German soldiers in France, and related meeting a French Army officer in Paris, on furlough, and remarking to him "I suppose you are on your way to see your folks". With great tears running down his cheeks the officer said: "No, I cannot look up my dear wife and daughter now; they are both *enceinte* by the German swine. Perhaps by and by I can meet these dear ones again." What an awful crime. Which shall it be: "Kultur" or "Civilization"?

Poland

Poor Poland too. What can be said of her? She was once the greatest nation in central Europe, and the one that had made the greatest progress in civilization. It was she who made the Prussia of to-day possible all through the generosity of her great heart; in an excess of liberality she started the House of Hohenzollern on its course of treachery, rapine, murder, and aggression.

She in this war has suffered at the hands of Prussia much as Serbia and Belgium in the destruction of her manhood, her womanhood, and her commerce. In telling the story of the two former countries we practically tell the story of Poland in the present war.

The Poles

The Poles are great fighting men, and Prussia is trying now to make them fight for Germany. But will they? How have the Bohemians fought for Austria? Even so will the

Poles fight for Prussia. No military discipline can compel the self-sacrifice which modern warfare demands, and least of all can military discipline excite enthusiasm among men called to fight for their hereditary enemies, when the latter are on the verge of humiliating defeat.

Armenia

Our time does not permit us to travel into Armenia and take cognizance of the Turkish Army outrages and atrocities. All these, especially the Armenian people's woes, are familiar to you, perhaps more so than the others, because these poor people have personally applied time and again, directly to the people of the United States. They have poured out the feelings of their broken hearts to you and you know more about them than about any of the other people in this war. All the sufferings of these people are due to "Kultur". The Germans have control of the Turkish Army and are responsible. What else could be expected. The dreadful happenings in Armenia are after all no worse in kind than "Kultur" has meted out to France, Belgium, Serbia, and Poland, and even to Roumania.

Germany does not realize her Degradation

The worst part of it all is that they do not realize that atrocities are not accomplishing anything for them or helping conclusion to their side. The opposite is the fact. The outrages are driving neutral countries one after another at short intervals into the Allies' camp. If it were not for the cruelty of it all we should be well pleased with the effect it is having upon those who formerly sympathized with Ger-

many, but have had to do without the sympathy on account of unnecessary and unheard of atrocities.

When Will the War End

We all ask the question: "When will the war end?" We do not expect an answer. If we got one we would not accept it because no one knows when the war will end. There is a question in the minds of thinking people. "Can an army of millions be crushed and broken? And if it cannot, can the Nation behind it be crushed and broken?"

Time of Testing

This is a time of great stress; a sifting of nations; a trial of character and a test of racial qualities. If we cannot roll up the central powers' armies, we can break the heart of the people and compel our own terms of peace in this way. But these two will and are going hand in hand now and are made doubly sure by the great American nation's entering on the side of the Allies. The turn of recent events on the Western battle front and Italian battle front shows very clearly that armies of even millions can be broken and crushed. It is my humble belief that if the Russians had been able to continue their legitimate share of this war, peace would have been almost at hand with all the concomitant blessings that would have accrued to Russia in a new born freedom. We heave a heavy sigh of regret for ourselves and Russia, but mostly for Russia because of her misguided direction in her revolution. The fiery furnace has been doubly heated for her, but let us hope that the fiercer trial will guarantee a firmer foundation for her liberties to be built upon.

In our will to win the war, we must

carefully mark the progress we have made towards gaining a satisfactory end. In 1914 no power excepting Germany, in all the wide world, was prepared for war. The dark cloud of war suddenly arose in a clear sky, but behind that suddenly arisen cloud were forty years of preparation on the part of the central powers and especially of Germany. She desired a new place in the sun and made every plan to obtain it, by fair means or foul, more particularly by foul means.

Our Backs no longer to Germany

We no longer have our backs to Germany as we had in the retreat from Mons to the Marne, but we are facing the foe and driving him back and there is but little doubt but a flanking movement, driving back the Germans now, with a full knowledge of superiority on the part of the Allies, that they can beat the central hosts. In the retreat from Mons we had but few men and small equipment. The men and the equipment were the best but entirely inadequate, but they, just the same, made the German Kaiser regret his remarks of styling an army the contemptible little British army. It then was small but good; to-day it is large and powerful with the full faith of victory, a morale that adds another hundred percent to its quality and equipment. This in combination with France's wonderful achievements and her wonderful army struck the death knell of Germany's hopes and the powerful strength of the American finance and man power has forever made Germany's hopes futile. This will eventually prove the greatest blessing to Germany because the inevitable result will be that she will exchange "Kultur" for "Civilization," "Might is right"

for "Justice is right" and "Autocracy" for "democracy." The last blessing will be worth more than they have sacrificed for a wrong principle. It will be a hard lesson but it will have been well learned.

United States in the War

It is not for me to say what the United States will do in this war, but I do know that all over the world, freedom breathes more freely and has a larger hope in the ultimate progress of the world in civilization as Anglo-Saxons understand the word.

The Men Who Fight

All the Allied Nations shall be under an eternal obligation to the soldiers who are fighting this war for us and I am one of those who do not think that we are doing our full duty towards the soldiers.

In Canada

In Canada we have got together about 400,000 men, roughly 5% of our total population, and to keep up the rank and file, depreciated in every battle by casualties which are larger than in previous wars, we will have to send at least another 100,000 men and perhaps 200,000.

These men are giving up everything for \$1.10 per day from the public purse, and in the case of married men for \$1.10 plus separation allowance of another sixty-five cents from the public purse, and a Patriotic Fund allowance from money contributed by the people by direct annual subscriptions.

This is inadequate, more especially since the cost of everything has advanced.

These soldiers toil and moil as never men did before and as no man at home

does, yet the man at home is receiving larger remuneration all along the line and some are making fabulous fortunes. If there is conscription of manhood there should be conscription of wealth, and in wealth I am including the laboring man getting larger remuneration.

Conscription of Wealth

In Great Britain the railways are in the hands of the Government; the manufacturer turns over 80% of his munition profits to the Government; there is a graduated income tax on all over \$750.00 and I believe lately this sum exempted has been reduced to \$500.00 and after the wealthy have met all income tax they are required to turn unnecessary wealth over to the Government. I do not believe in confiscation, but during the war it should be a case of each for all and all for each.

The Middle Ages

During the middle ages there was a period of about one thousand years known as the Dark Ages. In that time the vast majority of human beings were little better than the beasts of the field. Life was degraded and degrading, morality was almost unknown, and religion was practically dead. Ignorance prevailed. The fine arts had been forgotten. In fact the bottom seemed to have dropped out of civilization, but through all that dark period the lamps of Christianity and liberty were able to burn with a small, uncertain, flickering flame, with the supply of a little fresh oil of an awakening conscience and rebellion against selfish conditions; and a gradual awakening came, that lead up to a wider and freer worship, a wider and freer liber-

ty and a larger conception of individual right, which is the fundamental principle of our present day civilization.

Education

Education has been a great factor, one of the greatest factors, in building up civilization, but without its universal application the civilization was partial and confined to a few; in the recognition of individual rights we have the greatest factor in true civilization. As this grows, and it lacks a lot of having reached the zenith, so will a grander civilization spread itself over the face of the entire globe.

This War the Great Leveler

This war will be the great leveler, and we may hope from it a pronounced principle of individual liberty. Our boys at the front will come back with new ideas, broader views, a companionship the world has never known before, and the influence will be tremendous and beyond present conception.

In Memoriam

For the boys who do all this and more, we shall place marble slabs in our churches and write upon them "In Memoriam"; in our public places and great squares we shall raise monuments, engraved and carved with emblems of achievement, whose spires shall reach into the azure blue, and upon the pedestals we shall inscribe "In Memoriam", and on our great streets and highways we shall raise triumphal arches, and on the keystone we shall write "In Memoriam." In memoriam of what? In memoriam of the boys who went to fight for us but who laid down their lives upon the fields of Northern France or Flanders; in memoriam of

those who went to fight for us and came back, battered and weary and war worn, shattered as never men in large numbers were shattered before; in memoriam of the lads who went to fight for us and come back safe and sound with the spirit which will make our several countries shine in the luster of fame as they never did before or could do without the returned soldiers.

All this in the future

But all this in the future. We have a present day duty to perform towards the soldier and that is to see that none of his dependents, wife, child, mother, father, or any other, shall have less than he could give them when there was no war, yea we must give to make them better off. The child must have everything in the way of education, to fit it for the battle of life, the land can afford. In simple, we must do our duty towards them in the utmost of the state and in appreciation of what the soldier father, son, brother, husband, or whatever the relation is, did for us.

General Wolfe

When General Wolfe climbed the Heights of Abraham, and captured Quebec, he little knew that he had added a new empire of vast and varied extent to the British Crown, which should go on extending and developing itself until it should reach the proud position of being the brightest of all the glorious jewels in that Crown; until it became a proud and potential nation within a great empire, until it had become a potential factor in the shaping of the human liberties in a great empire by counsel and influence.

Another Empire

And again Wolfe little knew that he was practically opening the way for the founding of another empire that would stretch from the Atlantic to the Pacific and from the 49th parallel to the Gulf of Mexico, and would control a hundred million people, be the greatest food producing country in the world and be a trader in commerce and all kinds of enterprise.

Spirit of Independence

Wolfe little knew that at victory he set the spirit of independent government aflame in the minds of the Colonials in the New England States, which grew until it became a consuming flame which ended in the Revolution because they would not be taxed without representation. While Wolfe's great victory did all this, it did vastly more because its influence, through the development of the United States, has spread the beacon of liberty in an ever widening sense throughout the wide world until every country and every citizen is calling for the extension and recognition of the cause of the common people. Great nations that were aristocratic one hundred years ago are today great democracies and great autocracies of yesterday will be the new great democracies of to-morrow. The rising sun of the reign of the common people is mounting into the heavens and people are hailing it with glad acclaim and loud hosannas. The heavy chains of slavery are being removed so that all men shall be able to raise their heads without shame and unabashed in the presence of their fellows everywhere.

The Handwriting on the Wall

The Kaiser has, like Belshazzar, seen the handwriting on the wall; he

has been weighed in the balance and found wanting. He knows his doom is sealed and out of his doom shall rise the sun of the reign of the great common people, bringing blessings

and happiness to generations now and yet unborn; the fulfillment of the golden rule and "man to man the world o'er shall brithers be for a' that".

Municipal Economies in War Time

Frederic Bass

I. Water-pipe.

The great war will inevitably force municipalities into strict economies both during the continuance of the struggle and for years after it. The purpose of this article is to call attention to certain possibilities in saving expense in water-works construction. It is not intended to cover here the entire field of waterworks, but only the pipe system.

A satisfactory and ample public water supply is an economic and also hygienic asset. It saves labor, money and it saves lives. Nothing is more valuable than human life and an entire cessation of waterworks building at this time would be for this reason a blunder.

The dilemma in which a municipality finds itself when a pure water supply must be extended to meet the demands of the citizens and when there are insufficient funds to meet the rapidly mounting costs of standard construction may in some cases be met by the utilization of less costly but satisfactory forms of construction which have proved their worth.

1. Wood pipe in place of Cast-

Iron Pipe

Wood pipe in the form of bored logs was used over 200 years ago for water supply; its life was indefinitely long.

Wood kept constantly wet does not deteriorate. Modern wood pipe is built up of staves like a barrel. The staves, however, are of selected wood, free from defects, carefully sawed and milled to fit accurately and tightly together and held in place either by separate steel bands or by spiral wire or band winding. Redwood, fir, and pine are the principal woods used, the former two being used in western practice and the latter in the east.

The experience gained from the use of many miles of such pipe under many conditions, both above and below ground, has been quite diverse. Some wood pipe has gone to pieces in five to eight years where laid in wet porous soil and built of poor material and carelessly laid, and some pipe, built of properly inspected selected wood, carefully laid in compact soil and subject to continuous use, has been found after twenty-five years service to be practically as sound as when laid.

The larger sizes of wood pipe, from twelve inches and upward may be secured in the type bound by steel bands. This is known as the continuous wood-stave pipe as it is built in the trench, the staves, bands, and other accessories coming to the work separate. The staves are placed between a removable form inside and the bands on the outside. When the

staves have been placed entirely around the circumference the bands are cinched by means of a shoe of malleable iron which holds the ends of the band. The thickness of stave and the size and spacing of bands are calculated on the basis of the water pressure to be carried. The staves are milled at the ends to fit into one another and staggered, hence the name "continuous." There are no "joints." Proper allowance for water hammer or other excessive pressures must be made. Redwood is usually untreated. Fir or pine may or may not be coated with asphaltic paint.

For municipalities of less than 20,000 population, the spiral bound stave pipe is the type which would naturally be used. It may be obtained in sizes from two inches to 48 inches internal diameter. This pipe is made up in lengths from eight to twenty feet in the factory. The staves are set up and the wire or steel band is wound by machine, a tension of about 25,000 lbs. per square inch being kept on it during the winding. The wire should be galvanized in accordance with the best practice, since that is necessary to prevent corrosion. After the pipe has been thus put together it is heavily coated with asphalt and rolled in sawdust for protection in shipping and handling during construction. It is particularly important that the pipes and especially the wire should not suffer injury; and chipping of the galvanizing of the wire is apt to result in corrosion and subsequent failure of the pipe.

At bends or turns in the pipe, the ordinary cast-iron specials may be used and the wood pipe caulked into them; gate valves are connected in the same

way. In some cases a welded steel sleeve has been used.

The successive lengths of pipe may be joined by a special ring or collar, made in the same way as the pipe itself, but somewhat larger, or they may be rabbited and fitted tightly together by ramming. In some cases a circular metal plate has been inserted into the ends of the pipe which are then butted together. Incipient failure has often been found at the joints, but this may be prevented by care in construction or by treating the ends of the pipe or collar.

An ordinary eight inch cast-iron pipe in an eight foot trench would cost in 1917 in Minnesota approximately \$2.25 per foot, an eight inch wood-pipe in the same trench would cost approximately \$1.15 per foot. The inclusion of gates and cast-iron specials would make the saving in cost somewhat less than this, although in any considerable quantity the saving would be very large.

2. Joints in Cast-Iron Pipe

The leakage from the joints of the average water distribution system is large. Eminent authorities have placed value of the annual loss of water in the United States at a minimum of about \$4,000,000 and a possible maximum of \$22,000,000. This, however, does not condemn the usual lead joint; the leakage is due to poor workmanship.

It is, possible however, to make the joints of cheaper material and with no more care than is necessary with lead joints, and to make them equally satisfactory.

The cement joint has been used on the Pacific coast for many years, it is now the standard in some cities, among them Los Angeles. In order to make a successful joint the bell

must be clean, a non-oily jute instead of oakum used for packing, and a neat cement, mixed rather dry. The cement is placed on a canvas immediately below the joint, mixed by hand and packed into the bell until it is half full, then caulked, and the whole joint filled and caulked. A cement bead is then put on. As soon as the initial set has taken place the joint should be covered with moist earth. The joint should then stand at least 48 hours without pressure from water in the pipe.

Such joints have been tested up to 300 lbs. per sq. inch, which is much greater than any ordinary joint will have to stand. In fact some tests in which several lengths of pipe were

jointed and the middle lengths later left unsupported were found superior to lead. The cost of lead for a lead joint in an eight inch pipe will be about \$1.20, of cement about two and one half cents.

Leadite, which is a patented compound consisting partly of lead, but weighing about one fifth as much as lead, has been extensively used and some of the better class of waterworks superintendents endorse its use. It costs somewhat less than half as much as lead and it possesses some advantages over lead, in that it has a lower melting point, has no dross to collect, and requires no caulking, which enables a saving in time of construction.

The St. Cloud Convention

It was a large and good attendance we had at the St. Cloud Convention. Mayor Hardie, of Lethbridge, Canada, found it surprisingly large for a state convention. And he found it surprisingly good also in the character of the program and the spirit of the delegates. As an index of the League's vitality the Fifth Annual Convention points to a continued growth in numbers and importance of the League.

The convention opened Wednesday morning in the St. Cloud Institute, a magnificent community building which furnished ideal accommodations for the sessions of the convention. Mayor Freeman of St. Cloud read an address of welcome, to which the League through President O. H. O'Neill responded. The President's address, the report of the Secretary-Treasurer, and the report of the Executive Committee were all that could be done before it

was necessary to adjourn for lunch. The Question Box Committee, the Auditing Committee, and the Resolutions Committee were appointed immediately after the opening of the afternoon session.

Two variations from the afternoon program as scheduled occurred in it as given. Rt. Rev. Joseph F. Busch of the Diocese of St. Cloud, who presented the Institute building to the community, addressed the delegates at the opening session. The second variation was due to delayed trains which kept Mayor Hardie from arriving until the second day of the convention.

The afternoon session was well attended, and lasted until six o'clock, when a cafeteria supper was served the delegates in the Institute. Needless to say this was one of the most popular features of the convention. After the delegates had eaten they went out

into the weather for a diversion, and witnessed drill by St. Cloud's Home Guards, and at about 7:30 formed a parade, with the bands and the guards, to return to the Institute. The Ladies' Band played a few selections before the addresses of the evening. Judge Frank T. Wilson of Stillwater, who had spoken on Municipal Markets in the afternoon, in the evening gave his address on Community Development. He was followed by President M. L. Burton of the University of Minnesota, speaking on "Changes Ahead". President Burton's address was a patriotic one; he avowed that he could give none of any other sort. The delegates and the citizens of St. Cloud in attendance responded with a magnificent ovation which testified to their belief in the patriotism and democracy expounded in President Burton's address.

At the close of the Thursday morning session a large fleet of autos was ready, to take the delegates to the works of the Pan Motor Company and to the granite sheds, where they were shown every courtesy and had an intimate glimpse of one of Minnesota's great industries in operation. From the granite sheds the next ride was to the Reformatory, where the delegates were served a splendid lunch and shown a part of the institution.

The afternoon meeting was held in the auditorium of the Reformatory. Besides committee reports and Mayor Hardie's address, it consisted of the business meeting of the convention except for the election of officers and the selection of the next place of meeting. The amendments to the constitution which had been offered the previous day by the Executive Committee and

others were adopted. They appear on another page of this issue of Minnesota Municipalities. Other business items were disposed of, as follows:

The employment in the League offices of a half time stenographer, as recommended by the Secretary-Treasurer, was authorized;

The purchase of a typewriter, as recommended by the Secretary-Treasurer, was authorized;

The sending of the Executive Secretary as a delegate to the convention of the National Municipal League and the Municipal Research Conference, meeting together in Detroit, Michigan, during the third week of November, was authorized, as recommended by the Secretary-Treasurer.

The purchase of a Liberty Bond of the Second Liberty Loan, as recommended by the Secretary-Treasurer, was upon motion of J. N. Nicholsen doubled, and then authorized;

The suggestion of Recorder Thomas Tomasek, of Albany, that the League take up the matter of mutual municipal fire insurance, was referred by the Executive Committee to the Convention, with the recommendation that a special committee report upon the subject at the next convention. Upon motion the entire matter was referred to the committee on legislation to be appointed for the year 1917-18.

In the evening the city of St. Cloud and the village of Sauk Rapids united their movable municipal equipment in a civic parade which would have done credit to any progressive community. After it the Sauk Rapids Band rendered a selection in the auditorium, before the final meeting opened.

City Attorney John Dwan, of Two Harbors, nominated Hon. Michael

Boylan of Virginia for the presidency of the League. The nomination was seconded by a delegate from the southern end of the State, and the election was by acclamation and unanimous. Mayor Boylan addressed the convention from the floor. George G. Magnuson, Commissioner of Finance and Accounts of St. Cloud, was nominated for Vice President, and similarly elected. Richard R. Price and E. L. Bennett of the University of Minnesota were reelected Secretary-Treasurer and Executive Secretary respectively. Hon. Jas. A. Farrell, alderman of Duluth, Chas. P. Hall, City Attorney of Red Wing, and J. N. Nichol森, City Attorney of Austin, were unanimously elected trustees.

Mayor Anderson of Austin invited the Convention to his city in 1918, and this time the first candidate was not given the field. Mayor Reiter of Rochester tendered an invitation also, and when the roll was called the votes indicated that he had prevailed. Mayor Anderson, before the tally could be

totaled, moved that it be made unanimous, and so it is recorded.

It is impossible even to mention all the things worthy of attention which were brought out at the convention. The bands were there with music whenever it could be wished, the city was on its finest courtesy, and only the weather was intractable. We must acknowledge the polished granite souvenir paperweight. We must make a blanket acknowledgment of many other courtesies.

The program was more than full. One committee report was abridged, and two others were postponed for a year. Another omission was that of the roll call which it was intended to inaugurate at this convention. It will be kept in mind and tried again.

The papers and addresses were unexceptionably good. We have mentioned but a few. MINNESOTA MUNICIPALITIES will publish them all before the next convention. The early numbers will be made large ones, so to get the proceedings out as soon as may be.

Amendments to the Constitution

The following amendments to the constitution of the League of Minnesota Municipalities were adopted on the afternoon of the second day of the Fifth Annual Convention of the League. Most of them are simply adaptations of the sections of the original constitution to conform with the actual practise as developed in the League, during the last four years.

Article II—Membership

Sec. 5. Any municipality may be

admitted to membership for the second half, or for any part of the second half of any fiscal year upon payment of one half the annual dues, provided such admission to membership has been authorized by the executive committee.

Article III—Fees and Dues

Sec. 4. Of the annual dues paid in by each member the amount of the subscriptions to Minnesota Municipalities for their officials at sixty-five

cents each shall be for the payment of such subscriptions.

Sec. 5. The payment of dues shall entitle the member municipality to subscriptions to Minnesota Municipalities for its mayor, clerk or recorder, attorney, engineer, health officer, and councilmen.

Article IV—Officers and Committees

Sec. 1. The officers of this League shall consist of a president, vice president, secretary-treasurer, executive secretary, and three trustees. All officers shall be elected at the annual meeting and all officers and committeemen shall hold office for one year, or until their successors shall have qualified.

Sec. 2. The president, vice-president, secretary-treasurer, executive secretary, and the three trustees shall constitute the executive committee of the League. The executive committee shall have general supervision of the affairs of the League.

Sec. 5. Each of such committees shall consist of three members; provided, that the League or the executive committee may request the chairman to add such names as they may deem advisable; and provided further that in addition to the three members above provided for, the president and secretaries shall be ex-officiis members of the committee on legislation.

Article V—Election

Sec. 1. All officers shall be elected at the afternoon session of the last day of the annual convention.

Sec. 2. The officers elected shall assume office immediately after the close of the annual meeting.

Article VI—Duties

Sec. 3. The treasurer shall receive from the secretary and safely keep all money belonging to the League, giv-

ing his receipts therefor; shall pay all bills incurred in the ordinary course of the League's business, and approved by the executive committee or the president or the executive secretary; shall keep an account of the funds of the League and present an account of the annual meeting.

Article VI—Officers and Committees

Sec. 4. Omitted, and the numbering of sections 5, 6, and 7 changed accordingly.

Article VIII—Publications

Sec. 5. Minnesota Municipalities shall be the official magazine of the League. The executive secretary shall be its editor unless another shall be designated as editor by the executive committee. The editor shall name such associate editors as he may choose. All revenue from subscriptions and advertising shall be turned into the League's treasury, and all proper expenses incurred on account of the publication shall be paid by the League.

Sec. 6. The executive committee may from time to time publish such manuals or handbooks of municipal government and administration as in its judgment may be of value to member municipalities and their officials.

E. L. BENNETT,
Executive Secretary

The council of Kandiyohi has decided to install electric lights in the village, getting the power from the Company.

Hibbing opened her new \$100,000 library October 19.

Sauk Centre will shortly vote on a new charter.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota,
E. L. BENNETT, Secretary

The Municipal Reference Bureau is at the service of all Minnesota municipalities for the answering of questions concerning municipal government and administration, for making researches, drafting ordinances, and sending suggestions to municipalities with particular problems. A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

FIREMEN'S AID

Question: Will you tell me if the council allows \$1.00 per fireman to be paid after each fire, will the said firemen be deprived of their state aid as they call it? How many members are allowed for this village? The chief says we are not allowed to have more than seventeen including himself. In other words, can you give me quite a little information concerning fire departments in villages?

Answer: There is no basis whatever for the impression which your fire chief has as to the number of members. Your village may have as many or as few as it wishes. Likewise the council may pay each fireman one dollar per fire, as you have suggested, or any other sum upon any basis it pleases, without jeopardizing your title to state aid. This state aid is really two per cent of the premiums which insurance companies receive in your village. The state collects it for you because it is more convenient and economical to get it in that fashion. This two per cent is to be spent for either or both of the following purposes: (1) to equip the fire department, and (2) to provide for pensions to disabled or superannuated firemen. If your village had a fireman's relief association it might be turned over directly to their treasurer. If your village

has not such an association, it must be administered through the village treasury. The number of firemen and the amount the village council pays them does not affect the matter at all.

USE OF SAND-PIT IN STREET

Question: The village has several streets, which have never been used, and have never been vacated. There is a sand-pit located partly on one of these streets, from which sand has been sold by a private party for several years. Could the village make this private party stop selling sand from that part of the pit located in the street and use same for its own use?

Answer: The problem which you state is not entirely decided but in the main the law is very clear. The village has an easement in the land of the streets you mention for street purposes only. It has been decided several times that a municipality may take material above the grade of the road bed and use it for the improvement of another part of the street. It is not clear that a municipality can dispose of material taken from above the grade of the road bed for other purposes, although it is in many cases actually done. If the material so taken had a high value the owners of the abutting property might claim it and in such case would probably be

entitled to it. However, they might be required to remove it from the street at their own expense. In a few cases the courts have sanctioned the taking of material from above grade within the street lines and outside the road bed, for the improvement of another part of the street. It is very doubtful whether the municipality may take materials from above grade outside the road bed and use them for any other purpose than improving another part of the same street. It is settled that the city may not take from below grade materials which would be valuable to the abutting owner. This has been settled in a number of cases as referring to stone and to gravel. In your case it means that the city cannot take possession of the part of the sand pit within the street lines and operate it for the profit of the city. The municipality does have control of its streets and may forbid the operating

of any business thereon which would hinder their use as public highways. If your streets in question were so used it would be clear that you could stop the sand digging operations within them. You probably can anyway. I would sum up my answer by telling you that I believe you can stop the owner of the private property from taking sand from the street, and that the village cannot itself engage in the same business. If you have access to a set of Minnesota Decisions you can read the law so far as it has been decided in the following cases: St. Anthony Falls Water Power Company vs. King, 23 Minn. 186; Viliski vs. Minneapolis, 40 Minn. 304; Rich vs. Minneapolis, 37 Minn. 423; Althen vs. Kelly, 32 Minn. 280; Sanborn vs. Van Duyne, 90 Minn. 215; Glencoe vs. Reed, 93 Minn. 518. Any attorney will be glad to let you examine these cases in his library.

Report of Committee on Resolutions

The resolutions submitted by the committee on the convention floor were prepared before the delegates had been entertained as guests of the State of Minnesota at the Reformatory.

An additional resolution to those printed below was therefore submitted. It expressed the thanks and appreciation of the League to the State of Minnesota and the superintendent of the Reformatory, Mr. H. K. W. Scott, for the splendid and cordial reception given the delegates there during the afternoon.

The resolutions submitted by the committee are as follows:

To the League of Minnesota Municipalities:

Your Committee on Resolutions herewith submit for your consideration the following as the result of its deliberations, with the hope that the same may be found in some way expressive of the sentiments of this organization, as brought forth at this, the Fifth Annual Convention of the League:

RESOLVED, That the City of St. Cloud has been found to be an ideal place for the holding of such convention, the weather alone proving somewhat unpropitious; the situation of the city, the accommodations afforded the delegates, and the convention as a whole are proven to be all that could be desired.

RESOLVED, That we hereby express the thanks of this convention

to the City of St. Cloud and to its people for the hospitality extended to the convention, and to the individual members thereof, and it is desired to express the hearty appreciation of all of those in attendance for the many courtesies extended, which have placed the City of St. Cloud and its people in position to be long and favorably remembered by all those in attendance.

RESOLVED, That the thanks of the convention be, and are hereby tendered to Rt. Rev. Joseph F. Busch and his co-operative Board of Directors for the use of the St. Cloud Institute, which has proven an ideal place for the holding of the meetings of the convention, and this courtesy is thoroughly and heartily appreciated by the League.

RESOLVED FURTHER, That we do hereby express the thanks of this organization to St. Cloud Lodge No. 516, B. P. O. E., for its hospitality in throwing open to the League and its membership the splendid, magnificent lodge room and club rooms, and all of the incidental privileges and courtesies connected therewith.

RESOLVED, That we have found the good people of St. Cloud to be uniformly courteous, hospitable, and at all times anxious to make the stay in this beautiful city a matter to be long and pleasantly remembered by all in attendance, and we do hereby extend the thanks of the League to the citizens of St. Cloud, to the officers of the city, and especially to Mayor D. H. Freeman, Commissioners George G. Magnuson and H. J. Maybury, and Mr. P. J. Seberger, for their untiring efforts in caring for the visiting delegates, and in making the con-

vention the splendid success which it has been.

RESOLVED FURTHER, That we tender the thanks of the League to the press of St. Cloud for their untiring efforts and accomplishments, and the space afforded in giving publicity to the workings and doings of the convention.

RESOLVED FURTHER, That the League appreciates fully the efforts and accomplishments of the musical organizations of the City of St. Cloud in furnishing most enjoyable entertainment for the visiting delegates.

RESOLVED, That we appreciate and endorse the splendid work done by the officers of the League during the year last past, and the active work of its committees appointed a year ago, and particularly do we emphasize the accomplishment of those charged with the preparation of the program, for the splendid program presented to and carried out before the convention.

RESOLVED, That the members of the League endorse the splendid work of the Extension Division of the University of Minnesota in connection with the League and the work of the Municipal Reference Bureau, and bespeak great future benefit to the League from its co-operation with the Extension Division of the University, and the members of the League are hereby urged to use to a greater extent than ever before, the opportunities thus afforded for well-digested information on the numerous intricate problems of municipal government.

WHEREAS, The Cameron Septic Tank Company of Chicago is now claiming royalties from all municipalities that have constructed sewage disposal plants of any kind; and

WHEREAS, Secretary - Treasurer Richard R. Price of this League has reported that in behalf of the League he attended the meeting recently held in Chicago with reference to the prosecution of the suit of the Cameron Septic Tank Company, and has recommended that all of the members of this League co-operate and contribute toward the defense of the action brought by said Cameron Company against Shelbyville, Kentucky:

NOW, THEREFORE, BE IT RESOLVED by the League of Minnesota Municipalities, that we believe that the interests of the municipalities of Minnesota that have constructed sewage disposal plants will be best served by co-operating with the National Septic Process Protective League, and pay the amounts agreed at the conference in Chicago, as annual dues, until all danger of suit by the Cameron Septic Tank Company is passed.

RESOLVED, That we tender the sympathy of the members of this organization, and of the attending delegates, to former President James E. Jenks, of St. Cloud, the father and founder of this organization, in his present ill-health, understanding, as we do, that he was obliged to undergo a major operation in Minneapolis only last night, and we trust that he may be granted speedy and complete recovery.

RESOLVED, That we deplore the untimely death of our active co-workers and former members of this organization, who, since the holding of the last convention, have crossed the "Great Divide," the same being President of the City Council L. R. Moyer of Montevideo, Mayor A. P. Pierce of Red Wing, Mayor Henry Johnson of

Wadena, and Mayor E. W. Hodgson of Winona, and the sympathy of the members of this League is hereby tendered to their bereaved families and friends.

RESOLVED, That we endorse the recommendations of Secretary-Treasurer Richard R. Price, to the effect that all unnecessary municipal improvements be deferred during the period of the war, to the end that special activity may follow the return of the soldier boys now absent and participating in the great struggle for democracy and humanity, and who, upon their return, will need opportunities to be again assimilated into the civic life of the nation.

RESOLVED, That this League, and the attending delegates, fully appreciate the clarion call issued by A. D. Wilson, Federal Food Administrator, in his splendid speech delivered before the convention on the subject of "Food Conservation," and that we do hereby pledge ourselves and our families to heed the call and co-operate with him and his chief, Mr. Hoover, in conserving the food supply of America for our allies and the deserving people of Europe.

RESOLVED, That the League of Minnesota Municipalities is in hearty accord with, and fully endorses the policies of this government and the administration at Washington, in the prosecution to a final, speedy, and successful termination of the world war now raging, in which the issues are clearly drawn between autocracy and militarism on the one hand, and democracy and humanity on the other, as so clearly and forcefully expressed in the ringing address of President Marion LeRoy Burton, President of the

University of Minnesota, made before this League.

RESOLVED FURTHER, That we do hereby pledge ourselves, individually and collectively, to carry out any and all measures proposed by the Government at Washington in its effort and determination to protect the small nations of the world against autocracy and oppression, to forever rid the world from unbridled and irresponsible militarism, and to make the world safe for democracy.

PRINTED MATTER

Books reviewed in this column may be procured through MINNESOTA MUNICIPALITIES at prices listed. Pamphlet material may often be procured free upon request. All material mentioned in this column is on file in the office of the Municipal Reference Bureau, and will be lent when necessary, without charge.

Learning to Earn

By John A. Lapp and Carl H. Mote. Bobbs Merrill, Indianapolis, 421 pp. \$1.25.

The authors desire to "make education real and pass it around." To them this means a thorough vocationalizing of it, and their book is a plea and a plan for accomplishing that. Their observation has been wide, and they have thought and written with a conscientious enthusiasm.

FINANCIAL STATISTICS OF CITIES, 1916. Bureau of the Census, Washington, D. C., 375 pp. tables.

The federal census bureau has issued a report which any municipal clerk, comptroller, or other finance official will find eminently worth reading. It would doubtless be a needless exercise for the recorder of a small village to peruse some of the tables of large figures in the report, since it deals with no cities of less than thirty

thousand population. But the twenty odd pages in which the report discusses the terminology of municipal accounting are pages which have a very certain value for every municipality of whatever size. It may be had upon request directed to Sam L. Rogers, Director, Bureau of the Census, Washington, D. C. Ask for it by title as above. Enclose no postage.

The voters of South St. Paul will pass upon eight proposed amendments to their city charter at a special election to be held December 18.

Mayor V. R. Irvin of St. Paul is advocating a municipal electric light and power plant for the capitol city.

The villages of Eyota and Sandstone joined the League during November

Mayor C. W. Vandersluis is the head of a new charter commission for Bemidji.

Springfield's municipal heating plant is popular in its home town. It is giving good satisfaction and is on the way to pay for itself within the next two or three years.

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Index to Volume II.

A title page and index are being prepared to Volume II of **MINNESOTA MUNICIPALITIES**, for those who wish to bind the volume. It will be sent to city clerks and libraries on the regular subscription list. Other subscribers will be supplied upon request. Send a postal if you want it.

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Organized August 21, 1913

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SIXTH ANNUAL CONVENTION,

ROCHESTER

October 16-17, 1918

The League of Minnesota Municipalities is a co-operative association of the cities and villages of the North Star State, all contributing to the common stock of practical knowledge and experiences which is accumulating for the use of cities and villages in solving their actual problems of municipal administration. The purposes of the League are not narrow and self seeking; its efforts are directed toward the service of the municipalities of Minnesota by extending the achievements of each to all the rest, and by working all together to accomplish the things that can best be done by co-operation. The purpose of a municipality in joining the League is not to secure any particular advantage for itself alone, but rather to take its place and do its part in working for the advancement of good and efficient government for all cities and villages.

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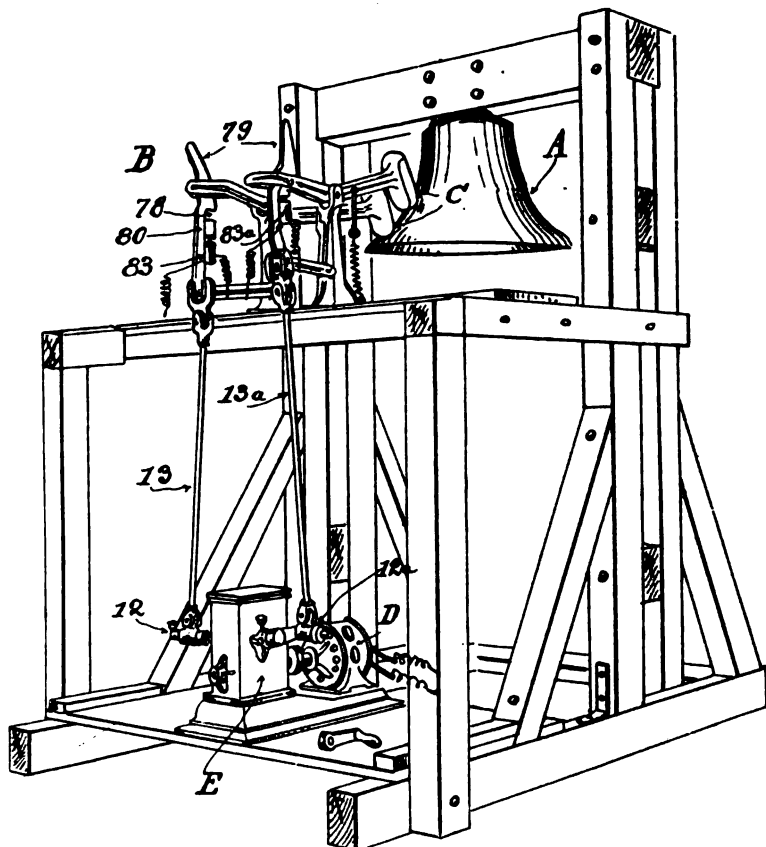
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Minnesota Municipalities

Index to Volume III

Year of 1918

About the Poorest Policy.....	140	Fare, Street Railway Case	192
Address by M. J. A. O. Preus	110	Federal Approval Required for Con-	
Age of Innocence, The	163	struction of Highways	145
Alumni, University, Use Proportional		Fire Insurance, Municipal	91
Representation	109	Fire Risk and Protection in forty-four	
Apportionment of Plant Expenses of		Minnesota Villages and Small Cities	169
Joint Heating and Electric Stations....	167	Food	3
Ashtabula's Experience with Propor-		Force Account Paving, Some Points on	149
tional Representation	154	Forms, Contract	41
Basis of Rate Making, The	136	Franchises and Public Utilities	115
Bathing Beaches	182	Franchise, Look to the	140
Bills, Delivering	170	See also Rate Making, Rising Rates,	
Boiler, Should a Steam Be Covered....	170	Policy.	
Bonds, Home Market for Municipal.....	175	Fuel	1
Bonds, Shall Municipal Be Taxed?.....	141	German Efficiency, the Legend of	43
Bureau of Standards, The, and What It		Harvest, The Natural Ice	1
Can Do for Your Municipality.....	34	Highway Construction and Maintenance	
Changes Ahead	18	Cost, Motor Trucks v.	146
City, The Ways of a	135	Ice Harvest, The Natural	1
Civic Problems	74	Influenza, What We Have Learned on	
Committees, Reports of See Reports of		Control of Spanish.....	181
Committees		Information Department:	
Community Development	78	Compensation of Employee	197
Conference, The Minnesota State Tax	44	Council Vacancy	94
Construction of Highways, Federal Ap-		Internal Revenue Licenses	65
proval Required for	145	Manhole Covers	67
Contract Forms	41	No Ordinance Needed	39
Convention Calendar, Rochester	70	Physician's Claim	197
Convention Coming	104	Preventing Freezing in Tank Riser	166
Decision in Columbus Street Railway		Private Driveways	94
Fare Case	192	Schools and Courses in Municipal	
Delivering Bills	170	Subjects	38
Development, Community	78	Sewer System Needed	39
Dirt Road Handicap	148	Sidewalk Construction	94
Does Road Oiling Pay?.....	191	Vocational Education	166
Economies in War Time, Municipal....	64	Wages in Municipal Plants	66
Economy of Meters, The.....	43	Innocence, The Age of	163
Efficiency, The Legend of German.....	43	Insurance, Municial Fire	91
Electric Stations, Apportionment of		Jenks, James E, Memoir	67
Plant Expenses of Joint Heating and	167	Legend of German Efficiency, The.....	43
Enlisted Men, War Relief for Families		Look to the Franchise	140
of	156	Lower Profits for Utilities?	169
Executive Secretary, Report of the.....	30	Markets, Municipal	10
Experience with Proportional Repre-		Memoir—James E. Jenks	67
sentation, Ashtabula's	154	Meters, The Economy of	43
Families of Elisted Men, War		Minneapolis Waterworks System, The..	124
Relief for	156	Minnesota State Tax Conference, The	44

Minnesota, Taxation in	45	Municipal Ownership	120
Municipal Bonds Be Taxed, Shall?.....	141	Question Box	129
Municipal Economies in War Time.....	64	Street Lighting	127
Municipal Fire Insurance	91	Report of the Executive Secretary.....	30
Municipal Markets	10	Report of Secretary-Treasurer, 1918.....	183
Municipal Wood Yards	51	Representation for Cities, Proportional	70
Natural Ice Harvest, The	1	Rising Rates	101
Northfield	40	Road, Dirt, Handicap	148
Oiling, Does Road Pay?	191	Rochester, A Word About	142
Ownership, Service-at-Cost Under		Rochester Convention Calendar	70
Municipal	139	Roll Call	39
Paint, Selecting an Economic.....	188	Road Oiling	191
Paving, Some Points on Force Account	149	Service-at-Cost Under Municipal Own-	
Plant Expenses of Joint Heating and		ership	139
Electric Stations, Apportionment of....	167	Shall Municipal Bonds Be Taxed?	141
Policy, About the Poorest	140	Should a Steam Boiler Be Covered?	170
Printed Matter:		Smoke	1
The Budget	96	Soot and Scale	2
Forestry and Community Develop-		Spanish Influenza, What we have learned	
ment	97	on control of.....	181
Stream Pollution	97	Standards, The Bureau of and What It	
Social Insurance	97	Can Do for You	30
Rebuilding the Wounded	97	State Tax Conference, The Minnesota	44
Democracy in Merchandising	97	Street Railway Fare Case	192
Problems, Civic	74	Taxation by Oversight.....	173
Program, The	2	Taxation in Minnesota	45
Proportional Representation.....106, 109,	154	Tax Conference, The Minnesota State	44
Proportional Representation for Cities	70	Trustees, A Word to New	93
Protection and Fire Risk in forty-four		University Alumni Use Proportional	
Minnesota Villages and Small Cities,	169	Representation	109
Public Utilities, Franchises and	115	Utilities, Lower Profits for?.....	169
Rate Making, The Basis of	136	Utilities, Public, Franchises and	115
Reconstruction Begins	174	War Relief for Families of Enlisted	
Relief for Families of Enlisted Men,		Men	156
War	156	War Time, Municipal Economies in....	64
Reports of Committees:		Waterworks System, The Minneapolis	124
Judicial Decisions	59, 175	Ways of a City, The	135
Municipal Accounting	54	Wood Yards, Municipal	51

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In This Issue



CHANGES AHEAD, A Patriotic Address

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CONTENTS

Editorial	
The National Ice Harvest	1
Fuel	1
Smoke	2
Soot and Scale	2
The Program	2
Food	3
Municipal Markets	10
Changes Ahead	18
Report of the Executive Secretary, Detroit Trip.....	30
The Bureau of Standards.....	34
Information Department	
No Ordinance Needed.....	38
Schools and Courses in Municipal Subjects	38
Sewer System Needed.....	39
Roll Call	
Barnesville	39
Northfield	40

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The League of Minnesota Municipalities

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E. L. BENNETT, Editor

Minneapolis, Minn.

FREDERIC BASS, Associate Editor

Vol. III

FEBRUARY, 1918.

Number 1

The Natural Ice Harvest

What is being done to utilize the climate in your community? There is no reason for not storing up this winter's coolness to mitigate next summer's warmth. MINNESOTA MUNICIPALITIES published last year an article by H. A. Whittaker, of the State Board of Health, in which it was shown that freezing effects a natural purification of the water which makes the ice. If it comes from a lake or stream four or five feet deep, and is clear and clean and solid, natural ice is just as good from a sanitary standpoint as artificial, and it ought to be quite as cold. It would save a great deal of fuel and ammonia next summer to put up ice now, instead of freezing it then. If municipal officials can do it, they will be serving the public interest in encouraging the doubling or quadrupling of the natural ice harvest this winter.

Fuel

Minnesota has indeed been fortunate this year in her fuel supply. Certainly there has been curtailment in some respects. Streets have been dimmed which for long had been brilliantly lighted, and the moonlight schedule has returned to power. Other municipal activities dependent upon coal have been diminished wherever possible. But as compared with New England and New York and Ohio and other states nearer the coal fields than we, Minnesota has scarcely felt the coal shortage enough to realize that it exists. There has been no imminent threat of fuel famine to householders, no such stringent denial of fuel to enterprises deemed non-essential to the conduct of the war, no such shortening of the winter business day, as Boston, New York, Baltimore, and even Chicago have known. And if we were to compare our supply with that of our associates in Europe, and what they are enduring with the inconveniences which have touched us, we are not suffering at all.

What of next year? It were foolish to suppose that there will be the over abundance of *antebellum* days, however much coal may be taken from the mines. Nor is it to be thought that the Northwest can again secure a share as adequate as that of this year, if it should mean a repetition of the extreme shortages of this year in other sections. We should neither expect nor desire that Minnesota will be given exceptionally favorable treatment.

This does not mean that the people of the villages and cities will freeze

next winter. It does mean that they should not expect to see their white ways again burning full so long as the war lasts, if that would mean the consumption of coal in extra amount. It means that coal should be conserved wherever possible, and used with a strict economy where it must be used.

There are several things which municipalities and municipal officers can do to meet the situation. They can find out now where it will be possible to use wood in place of coal, and can take steps to have enough wood got out for such uses, if there is any wood nearby. And they can urge the citizens of their municipalities to do likewise. They can in some cases substitute oil or gasoline or gas engines for steam engines in electric plants, and produce their current at less cost than before into the bargain. They can in other cases substitute water-generated current and so have their lights without the use of coal at all. And they can and should encourage, by appropriate publicity and by adjusting rate schedules when necessary, the wider use of electric current for cooking.

Smoke

A black-smoking chimney is a source of nuisance to residents within a wide radius of it, an uglifier of streets and houses, a discourager and a killer of trees and other vegetation. It is also an indication of wasteful and inefficient consumption of coal. Every pound of soot is a pound of fuel that failed to burn. By properly constructed and adjusted fireboxes, and by proper firing, the smoke nuisance can be largely done away with, and the waste at the firebox stopped.

Now would not be a bad time to pass a smoke ordinance. It should be one that could be understood and enforced, and one which, when enforced, would be effective. Its passage and enforcement should be accompanied by a campaign of education on proper methods of burning fuel so that it will not be wasted in smoke.

Soot and Scale

It doesn't take a very thick deposit of ashes or soot on the heating surfaces of a boiler, whether in a power or a heating plant, to keep out a quarter of the heat which the clean metal would take through. That means that a sooty furnace will send a great deal too much heat up the chimney in order to get the water hot enough. It pays to keep the soot layer thin.

If the water in the boiler is hard there will soon be deposited scale enough to do as much damage as the soot outside. The first remedy is not to use such water if it can be softened, and the next is to see that the scale is removed frequently.

The Program

To what topics should the League devote the next convention? The executive committee can formulate the program better if it has the ideas of the membership before it. So please send in any suggestions you may have. Address them to the Secretary-Treasurer or the Executive Secretary, and they will receive careful consideration.

Food*

By A. D. Wilson,
Federal Food Administrator for
Minnesota

Mr. President, I imagine you gentlemen are very much more interested in the preparation for the feed down below than you are in a discussion of the food administration work up here. I should feel, however, somewhat complimented by the proportion of you who came up here if I had not seen just how it was done. I noticed that there was no other way to go than up here; so I do not take any credit myself for attracting you in this direction.

It is rather appropriate, however, at this late hour to talk about something to eat, and I come to you not with a plea for sacrifice, but rather with an opportunity that I know every man in America is looking for, and that is an opportunity to do his bit in this big war game in which we are all engaged at present. It is not doing very much, you know, to lend Uncle Sam money at four per cent interest. You would otherwise put it into the bank at that rate of interest, and to lend it to Uncle Sam certainly gives you just as much confidence that you are going to get it back as it does to deposit it in the bank.

But I have a proposition to present to you whereby you can, every day in the week and three times every day, contribute just a little mite to this big game, and while you are doing it you can have the satisfaction of knowing that you are not doing it selfishly, but

that you really are contributing to some little fellow, somewhere, who needs the things that you are going to save. I say "going to save" because I know that every American citizen, when he understands the food proposition which is confronting the world at present, is going to do his little bit by changing his food habits—he is going to eat just a little differently than he has been in the habit of doing, and in that way he is going to contribute his mite to the cause.

I was asked the other day to define the work of the Federal Food Administration in ten words. Of course I could not do that fully, but I made this reply, that, as I saw it, the work of the United States Food Administration is to make the world's food supply go around.

Now I do not want to picture in your minds the idea that you are going to be asked to go hungry, or that anybody in this country need go hungry, or that anybody in this world need go hungry, but there are certain things that we need to do. I feel certain that we have enough food in America today to feed two hundred million people instead of one hundred million people, if we would change our habits very slightly. So do not get scared about being hungry. I am not going to ask you to go hungry, or any of your folks to go hungry.

* Stenographic report of an address delivered at Fifth Annual Convention of the League of Minnesota Municipalities, St. Cloud, October 17, 1917.

Food Production

There are three angles of the Food administration work, and naturally the first one is the production of food. That seems to have been the chief business of Minnesota—to produce food. That is our biggest industry. It amounts to more than any other industry we are conducting in the state. We have produced this year sixty million bushels of wheat, more than four times as much as we could possibly use ourselves. We have produced more vegetables, more milk and butter and more meat than we can possibly use. So, it seems rather strange to come to a Minnesota audience with a plea to save these very things that we have here in abundance. But I am making the plea on behalf of peoples not so fortunate as we, who absolutely need these things if they are to be well fed or even reasonably well fed.

I wish every man, woman, and child, in America, might meet Mr. Hoover, the head of the food work in the United States. I am satisfied that if you could meet him and just get an impression of the man and what he is attempting to do, and how he is attempting to do it, that there is not one loyal citizen who would refuse to carry out to the letter the wishes of Mr. Hoover. Mr. Hoover, as you know, is working for the United States and paying his own expenses, absolutely without taking one cent from the government. He has been set at a task that is not entirely a pleasant one. You know in European countries they call a man like that a food dictator, and that dictator says that each man may have so many pounds of this and so many pounds of that, and he cannot get any

more; but in America, where we have a democratic form of government, where people love to do things in their own way, we have a different proposition. It is a proposition of convincing every individual in America that he has a personal duty to perform in this matter of the use of food.

Voluntary Methods

Another phase of the food work that we have to contend with, that is probably the most trying one of all, is the matter of distribution. I think the distribution of food products has caused more uneasiness and more criticism of the people who have done it than any other line of work in America. You know it has become a common thing for people to criticise the middleman and call him all sorts of uncomplimentary names. It is one of the duties of the Food Administration to satisfy both producers and consumers that the middleman has a real function to perform. I wish you could all get clearly Mr. Hoover's impression of the regulation of the distribution of products. His idea is absolutely a democratic one. He does not want to lay down hard and fast rules to be followed by anyone, but he hopes to accomplish the effective and efficient distribution of food products merely by enlisting the co-operation of the people whose business it is and has been to distribute these products. He has confidence enough in human nature—and so have I—to believe that in this trying time the great majority of men engaged in any industry in the United States are willing to do their mite, and do it just as efficiently as they know how. He hopes to bring about a better and more effective system of distribution, by calling into conference some of the

leaders in the different lines of industry, and by asking those men, in the name of the United States, to use their brains and experience and knowledge of the game to work out a system or a set of rules and regulations that will tend to bring about the most effective work.

Now I am deeply interested in that idea. You know that when the President declared that a state of war existed between the United States and the German government he said that one of the things that America had to do was to "make the world safe for democracy." One of the eastern governors came back, following that statement, with another statement that appeals to me equally, and that is that one of Uncle Sam's jobs is to demonstrate "that democracy is safe for the world." In other words, we have the task before us of demonstrating that we are competent, that we have the will power, the force of character and a high enough ideal to do things well enough so that we may be allowed to control ourselves in all of these matters, rather than have to work under arbitrary rules and regulations, as is the case in autocratically governed countries.

So, it is hoped to bring into this great game of reorganizing or making more efficient the distribution of products, the voluntary service of the people who are actually doing that thing, with a view to bringing about the desired result, with the least disturbance of present business conditions.

Conserve

The one thing in which I want to appeal to you men most earnestly is the

idea of food conservation. You have seen this matter set forth in the papers all this year, but I want to emphasize the fact that if we are going to get across with this program of making the world's food supply go around for the next ten months, that it is up to every man, woman, and child: that it is his duty, every time he sits down to the table, to have in mind the fact that there are some things that we have been in the habit of using abundantly, of which there is not now enough of to go around, if we are going to do our duty by the countries over across the water that are helping us in this big death grapple.

Very briefly, the program is this—that America has produced this year about six and a half bushels of wheat for each man, woman, and child in this country. Normally we would use six of those bushels for our bread and seed, etc., so that normally we would have for export only about fifty million bushels of wheat. Now France and England and Italy and the neutral countries over there need somewhere near four hundred million bushels of wheat to enable them to get through. How are we going to export four hundred million bushels of wheat with a surplus of only fifty million bushels? The only way that it can be done, or even fifty per cent of it accomplished, is for us to eat less wheat ourselves.

Now I am not coming to you with the idea that it is asking you to sacrifice when we ask you to give up twenty-five per cent of the wheat bread that you have been in the habit of eating; it is not a sacrifice—it is an opportunity for us to render a service to the people on the other side of the wa-

ter who need that wheat much more than we do.

I asked Mr. Hoover, when in Washington, if it was true that the people of Belgium were actually starving, and he replied "No, they are not starving, it would be a slander on the Belgian Food Commission to say that they were starving, but they are so short of food that they never at any single meal have enough to eat."

Now just think of that—that the food supply is so short that when it is made to reach clear around and provide something for everybody, there is not enough for them really to satisfy any of them. They get just the minimum number of food nutrients that are necessary to maintain body and soul. They do not sit down and eat, as we do, until they have all they want and then eat a little bit more for good measure. They have to go to bed feeling that they have not had quite enough to eat.

I believe that if any man here could realize when he sits down to the table that if he saved out of the meal one slice of bread, a little butter or fat, a little meat, or a little sugar, that those things were actually going to get across the water and go to some little child, or some old man, or old woman, who needed them, he would be grateful for the opportunity of denying himself.

There are four things that I want to ask you to economize in: Wheat flour or wheat; sugar; meat; and, fats. Fats of all kinds are badly needed.

There are two reasons for asking you to save these things. The first is that there is not enough to go around; and the second, those things are all reasonably concentrated products containing

a maximum of food and can be shipped with a minimum of shipping. I want you to understand that there is not enough of those things to go around, and if you do not change your habits just a little, somebody must suffer. I want every man, woman, and child in Minnesota to do his bit in saving those things because they are needed. For example, we normally use about ninety pounds of sugar per person per year. The French and English at present are on a ration of twenty-one pounds of sugar a year. I do not believe there is any fellow here who, when he sits down to the supper table tonight, and realizes that he has been using ninety pounds of sugar, and realizes that little children and other people over in Europe are not getting the sugar they need, is going to dip into the sugar-bowl three times to sweeten his cup of coffee or grab in there for three lumps of sugar when he knows that two-thirds of it will never be dissolved and will be washed out in the dish-water and go to waste. The appeal I am making to you is to serve humanity in this world crisis, by using just a little bit of self-restraint.

I think Mrs. Winters, the head of the women's war work in Minnesota, has stated the situation the best I have heard. She explains it in this way: "The United States, because we have not been in this war, because we have had all of our industries working, because of our great acreage of agricultural land, because of our equipment of machinery and everything with which to produce food, and because of our favorable climatic conditions, have more food than is needed by our own people. The Allies have not enough food to go around. So that brings

about this condition: the United States, France, Belgium, England, Italy, Holland and the Scandinavian countries are actually to be fed at a common table. It is the world's table, containing the world's food supply. Uncle Sam, because of his favorable condition, because of the abundance of food here, is, figuratively speaking, at the head of the table and it is up to him to serve. There are two things Uncle Sam may do. He may grab all the good things and fill up, eat all he possibly can, and if there is anything left pass it on to the others. Or he may do this,—and this is what I believe he is going to do—he will do just what you do when you sit down at your own table, namely, look over the table and see what has been prepared, then look around the table to see who is there to be served, and then serve in such a way that everyone at the table gets something of all of the things to eat.”

If there is any fellow who goes short who is it to be? The fellow at the foot of the table, or the fellow at the head of the table? It ought to be the fellow at the head of the table, ought it not? Isn't that the proper American spirit? Of course it is. And I believe that that spirit is going to predominate in America until instead of fifty million bushels of wheat surplus we can ship two hundred fifty million bushels of wheat to Europe.

Now why don't you applaud? Don't you feel that way? (Applause.)

I didn't want the applause myself, but I want you to feel the spirit of the thing—and do it.

A voice: We were all too much interested to applaud.

Another voice: That's right.

Mr. WILSON: I do not like very

well to mention personal matters, but I have a little hunch that came to me through my experience as a father, that I believe is worth passing on. I have a boy. As you can readily realize, from my point of view he is probably the greatest boy in this whole state, although he is a little fellow, and only eight years old. But he looks good to me, and ever since he was big enough to help himself at the table his mother and I have been sorry to see the evident greed with which he helped himself to sugar. He absolutely could not resist the sugar bowl, and for his breakfast food and his bread-and-milk and pretty nearly everything else, the temptation was very strong in him to dig into the sugar bowl very liberally. We had no good excuse for restraining him, but we did not like the evident greed shown in his habit of dipping into the sugar bowl so heavily. So, even before we realized the national necessity of saving sugar, his mother conceived the idea of getting him to save sugar for a soldier. You know there is something that appeals to everybody in the soldier. It seemed to catch this boy's fancy, to save sugar for a soldier. It really got under the little fellow's hide, to put it that way, and it worked. He has two little sisters, younger than he, and this fall for five or six weeks his little cousin, six or seven years old, was at our home, and it has actually worked so well with that little fellow that those four children began to talk about it among themselves, and they agreed, voluntarily, to use no sugar on their bread-and-milk, and every time they dipped into the sugar bowl for sugar for their breakfast food to shake a good lot of the sugar back into the sugar bowl.

A couple of days ago his little sister, only four years, sitting beside him at the table, very emphatically called his attention to the fact that he was dipping too deeply into the sugar bowl. I just pass this along as a suggestion. I would like to see all the little people in Minnesota wearing a button, if they were worthy of it, bearing these words "I am saving sugar for a soldier" or for somebody else. I believe the idea is worth passing along to your boys and your girls. I hope you have them.

We are trying in this food work to demonstrate that democracy is safe for the world, and instead of issuing bread cards and sugar cards and meat cards, and all of that, we want to enlist, voluntarily, the co-operation of every home in the State of Minnesota, and as a consequence we are going to put on in Minnesota, during the week of November 4-11, a pledge-card campaign. I do not know how much you think of pledge cards. I think just as much of a pledge card as I do of the fellow who signs it. It is just exactly as good as the fellow who signs it. But the principle back of this thing is not signing the card, but it is to enlist the co-operation of each family in saving the food that we know we need to save to ship over across the water. And so we want to go before every family in Minnesota during that week, tell them the food program, and ask their co-operation. If they are willing to co-operate they are going to be asked to sign one of those cards. Such a campaign was put on here in the month of August, but it was the idea at that time that this was a woman's proposition. The women did loyal work in that campaign but they are not satisfied, we are not satisfied, and I know you won't be,

with the results. Out of four hundred and sixty six thousand homes in Minnesota there were only fifty-five thousand cards signed. That indicates to me that the people did not understand the proposition. Some of the women said, "I am perfectly willing to sign that card, but my husband doesn't like war bread, and he won't stand for that sort of thing." I just wish that the men of Minnesota would take this thing seriously and would realize that at least for the period of this war it ought not to be any of their business what is put on the table. They ought to be good soldiers and sit up there and eat what is given them and keep still about it.

I sometimes wish that every man in Minnesota had had the same kind of a father as I had with reference to that one thing. It was his unvarying rule that no one at his house was to kick about what was put on the table. He said, "I believe that Mother has done the best she could do under the circumstances. If you do not like what is on the table just keep still about it, that is all." And that was an absolute rule that had to be lived up to or serious consequences would result. Now I hope that all of you can feel that you have got just that kind of a father until this war is over at least, and then if you acquire the habit of doing that I believe it will be a good thing for you ever after. I really think that is why I am so fat—because I haven't worried about what I had to eat. I have traveled from one end to the other of this state and haven't always had just the kind of a meal that a man might choose, but I have not worried about it, and so I have grown fat living that way. So I want to appeal to you men

to let the women of Minnesota know that you are just as good sports as a young man I know. He is one of my neighbor's boys and is now up in the front trenches somewhere in France. His mother has been very much interested in this food work and wanted to know just what they had to eat over there. She asked him especially about the bread. He said, "The bread we get over here is good bread. It is black bread. It is not as good as the white bread we have at home, it is not as good as the rye bread we have at home, it is not as good as the Graham bread we have at home, but it is good bread." He would not kick. He said it was good bread. Now isn't that the spirit we all ought to have? "It is good bread." Even if it is made of twenty-five per cent of corn or twenty-five per cent of potatoes or something of that kind.

I believe that you men are in a position to exert great influence in your communities, and I just ask you as a little bit of a contribution to this cause that you will lend your support to the food campaign, and if you hear any one ask, "Why should I eat corn over here and ship wheat over to someone in some European country?" just tell him this, that those European people are all now eating war bread and that that war bread is not as good as any of the bread that we have. As a matter of fact the war bread that they are eating in England and France today has a very much smaller percentage of wheat in it than we are asking anybody to use here. I know it is not going to hurt any man to change his food habits a bit, and I think we are going to ask the people of Minnesota to have at least one meatless day a week, and

I do not believe it will be Friday either, because there are a good many who do not eat meat on Friday anyway, and we want everyone to feel that he has an opportunity to contribute to this good cause. I think we are going to ask the people to have at least one wheatless meal a day. Now that is not very much to ask of a people when they have such an abundance of good things to eat as we have.

It may interest you to know this, that the countries, almost throughout western Europe, produce, in normal times, about twenty bushels of small grain per capita per year. We produce here in America each year over twenty bushels of small grain per capita, and in addition to that we produce about thirty bushels of corn apiece. So we have that great surplus of thirty bushels of corn more to eat than our European associates. That accounts for the fact that we eat, as a rule, more than twice as much meat as they do. I believe we can reduce our consumption of meat considerably. We do not need to go without meat, but we can quit eating meat as freely as we do. We have an abundance of vegetables, we have an abundance of fish in our lakes and rivers, and plenty of sea food; we have this great abundance of corn, we have unlimited quantities of fruit and cheese and all those things that we can use in the place of meat. So we can reduce our consumption of wheat flour, of meat, of sugar and of fats twenty-five per cent and not be any worse off physically for it, and I believe that we will feel a whole lot better, just in knowing that we are contributing to a sorely tried people who have not the abundance of things that we have.

Municipal Markets*

By Judge Frank T. Wilson, Stillwater,
Minnesota

Mr. President and Gentlemen:

No other problem before the American people today is so big in magnitude as is this problem of marketing farm products. In round numbers, we raise ten billion dollars worth of farm products a year, and it costs us ten billions of dollars to get these products from the farm into the home and the factory where they are used. We have been intensely interested in getting the farmer to grow more on the farm, but we have altogether ignored the problem of how to help get that product from the farm to the home. So intensely ignorant are we of this marketing problem, that when the question comes up before the legislature of doing what the good bishop said today we ought to do, and what, in a small measure, I have been trying to do for the last five years—to study this marketing problem and, under the auspices of the University, go out to the people of the State of Minnesota and talk about the marketing of farm products, the revenues of the University are cut a half million dollars. What is the first thing to fall by the wayside? The Extension Service. If the men in our legislature really sensed the significance of the marketing problem, and also the problem which I shall have the privilege of discussing with you tonight for a few minutes, community development, I do not believe they would take the attitude towards the University that

they do in the matter of funds for extension work.

The transfer from the farm to the factory and the home of ten billion dollars worth of products in one year is a big proposition. What do you know about it? You are interested and eager to have farm institutes, short courses in agriculture; you are interested in having the University train dentists, lawyers, doctors, and engineers, but there is nothing in our University for the purpose of training men to perform this great service of marketing farm products. Five great big things are involved in the marketing problem. Each one of them is big enough to be the subject of a separate lecture.

Grading

An important matter is the grading of farm products, which involves a square deal between the man who sells and the man who buys. It means that when a consumer pays the agreed price for the product, he shall get that which he bought. We have made very little progress along that line. For illustration, I go to the manager of our market in Stillwater and I say to the manager, "I want a load of clover hay for the Jersey cow up at the house." He calls up the farmer, and the farmer telephones me, "How much do you want?" I answer, "Bring up a load." and the farmer brings up a load, thirty six hundred pounds of baled hay. All winter my boys pound the barn floor with brickbats that were made out of clover hay pressed when too damp. Now, that farmer didn't deliver to me

* Address delivered at the Fifth Annual Convention of the League of Minnesota Municipalities, St. Cloud, Oct. 17, 1917.

what I thought I was buying; he had not graded his product right.

How often every home discusses the problem of apples that are so fine at the top of the barrel, but when you get down to the middle what do you find? How often your potato bin, before the winter is over, contains rotten potatoes that have to be sorted out, because the farmer did not grade his potatoes right. The great fruit packers of California have taught the lesson to the world, that if the producer will only be careful in the grading and selection of his fruit and vegetables and keep them free from bruises, they can be preserved and kept very much longer and will be infinitely more wholesome.

How are you going to awaken an interest in grading? I was down in Minnesota, in the little town of Olivia, and heard an old Scotchman make this statement to his audience. "I got \$700 from two acres of my farm. I took the prize down at St. Louis, the sweepstake, against the whole United States for apples grown here in Minnesota." What do you know about that? Most of us do not know a thing about it. What is the secret? The selection of the fruit. I have a brother-in-law out in Washington who is sometimes called the "Pear King of the Yakima Valley." His output was thirteen carloads in one summer. He has sent his pears to the city of Minneapolis year after year, and the commission man who handled his product made the statement in my presence, that when Sawyer's pears are put upon the market, his third grade brings nearly the same price as the first. The reason is superior grading and packing. Too much emphasis can-

not be put upon this phase of the marketing problem.

Transportation

The second phase of the marketing problem is transportation. How are you going to get the product from the farm into the cities, over the common sandy highways of the State of Minnesota; highways that arouse such desperate feelings in the hearts of automobilists? How often you get in these sandy places or mud-holes! You get stalled with your machine. About that time is a good time for people who are intensely averse to profanity to get out of hearing. Yet we never have got home into the consciousness of farmers that economically it is just as expensive to generate power from the consumption of feed in the body of a horse as it is to generate power by consuming gasoline in the engine of the automobile. A part of the problem of marketing is the building of good roads that will make it less expensive to get the product from the farm to the town.

Storage

A third phase of the marketing problem is storage. Mr. Wilson (A. D. Wilson), brought home to us forcefully this evening, in the little talk he gave us a sense of what a tremendous surplus of farm products we have. And you know how it is wasted. Apples that rot in the orchards, potatoes that rot, food of every kind that might be made available if there were only methods of storing it. The farmer has not storage facilities on the farm. There are no places in the city, except in the great cold storage plants which are for the convenience of the owner and not for the convenience and service of the public; simply a money-making device

and not to provide food for a hungry world. This storage problem is one of the great big factors in marketing farm products.

Distribution

Finally, just as big as gathering the harvest on the farm is the work of distribution. This service is performed by our merchants.

After all, this whole problem of marketing is a merchandizing problem. It is the problem of trading, of getting the product from the man who raises it and passing it on to the man who wants to use it, and that business of trading is just exactly as old as farming. Go back into ancient history and you read the story in the Bible of the days when Joseph and Pharaoh put over a little deal in grain through a period of seven years. Nothing which our farmer friends feel ever so disgruntled about was ever done by the Chamber of Commerce of Minneapolis, or by traders in Chicago grain pit, that surpasses the story of the cornering of the grain in Egypt six thousand years ago.

So this matter of trading in farm products is an ancient proposition, from the beginning to the present hour, there has been scarcely anything done to devise better and more efficient methods of marketing farm products.

Now what is going to be the agency for improved marketing? For thousands of years the agency has been the individual man who had money. He had a right to do with his money as he pleased. He went out and said to the man who had the farm product, "I am willing to exchange my money for your products." The farmer had no other means of outlet, and the mental attitude on the part of the farmer had

to be one of obligation to the trader. Instead of the farmer's being able to say to the man who came with the money, "I will sell you this at a price of so much," the invariable query has been, "How much will you give?" The trader has been permitted to dictate the price, and there has grown up in the minds of men who live on the farm everywhere a feeling that something is wrong, since while the man who, by the sweat of his brow, through hours of unending toil on the farm, produces something of value, something that the world needs, the trader, who is the farmers' only means of disposing of the farm product, sets the price. And I want to tell you that when a bunch of farmers gather down in St. Paul and an old G. A. R. veteran makes an appeal for patriotic loyalty, and they sit quiet and unmoved, you and I must not forget that back of it all there is that keen resentment that has been growing for years in the mind of the farmer at the way in which the people in the city have handled this problem of marketing farm products. It is not at all that they are disloyal. It is that for the moment they have allowed full sway to the passion and hate which have grown up in their hearts against, as I heard one farmer express it at a farmers' meeting, "our enemies in the city." This is unfortunately the mental attitude of many farmers. I have listened until my blood ran cold at the impassioned pleas of some of these fellows promoting organizations, which arouse hostility and hatred against the men in the cities, against the traders, who are simply the victims of inherited habit, customs, and methods of doing business. And instead of our getting together, man to man, and discussing

conditions and trying to solve the problem, we organize each against the other, and get into a vicious, venomous spirit of class hatred. It is this kind of a thing that we want to get away from.

A Community Market

Stillwater has been trying for the last ten years to do something to allay this class feeling. I don't boast of the city, because we did it from necessity. Stillwater was a lumber town. Its mills had gone. The farmers of the community were not feeling very kindly toward the city of Stillwater; too many times they had hauled their potatoes to town to find no market for them and hauled them back home; too often they brought in their eggs and their butter to barter at the grocery store on such terms as the trader might dictate. A farm bank account was of no interest. As a bank friend said to me a few months ago, "Ten years ago we never thought of a farm bank account, but we do think of it today." But time has brought changes. The farmer has money. It is no wonder that the farmer, feeling the new power, the financial power and strength that has come to him, should begin to wonder if he is not independent of the man in the city. But I hope this evening when I discuss, as a part of your program, this subject of community development that I can show conclusively that our relations are so intimate that there is no possibility of divorcing the interests of the farmer from the interests of the man in the city.

Over in Stillwater, some ten years ago, before our Civic Club came the question, "Why cannot we do something to create a market here in Stillwater?" At that time it was my misfor-

tune or good fortune, as you please, to be secretary of the club. Everyone said, "Amen. Let us go to it." As you know, the secretary is the "goat" for anything the club undertakes to carry out. It fell to me to carry out the resolution that was adopted, and for ten years I have been the secretary and one of the directors, and I sometimes say spiritual adviser, for the Stillwater Market.

Now right here I want to endorse the use of a particular word. In all the discussions I have heard you never once used the word "municipality," because, unconsciously, you have got hold of the right word, "community." There is no such thing as municipality today. There are only communities. Once, when we had nothing but police service on the part of the organized community; once, in years gone by when it was only the duty of the municipality to see that good order was preserved, it was all right to talk about the municipalities; but today, on every tongue, in discussing social problems, the word is "community." We at Stillwater do not talk about our municipal market. We speak of the community market. Between two and three hundred men have put their money into the experiment. \$10,000 capital has been paid in. This has earned another \$10,000, so that the Stillwater Market is in excellent shape financially. This gives a person a little confidence in discussing the marketing problem. It is success in life, experience, that gives us the right to speak, and I speak to you tonight on this marketing problem, because of the experience of years in our Stillwater experiment.

What has been done of the most far-reaching results of the Stillwater ex-

periment? There has grown up decidedly better relationship between the town and the country. You will pardon me if I boast a little and tell you my home county, Washington, leads the State of Minnesota today in the achievement of its farm expert, the farm agent. For three successive years our county took the blue ribbon at the State Fair and then the silver cup. Today the record of our county is second to that of no other in the state. In the Red Cross work eight hundred fifty farmers have pledged a portion of their crops to the Red Cross. It is estimated it is going to bring us \$15,000, possibly \$20,000. All this has grown out of the spirit that prompted Stillwater ten years ago to co-operate with the farmer in marketing his products.

Now, what did we do? We got away from the idea that the individual was going to have a monopoly of marketing the farm products. We have not put the individual out of business. The groceryman still buys potatoes and eggs, but our market fixes the price. We have an institution in our community that operates in such a way that no farmer ever takes anything back home. We bought over forty products in one season. It may be pumpkins or rhubarb or squashes. As an illustration of possibilities, let us take the squash, a product that the ordinary farmer looks upon as a waste, and yet you know the Hubbard squash is one of the finest delicacies on our table. One farmer planted an eighth of an acre to squashes, and realized forty dollars from that eighth of an acre, because the market was there to take his squashes. I sometimes say this beats the chicken business,—forty dollars from an eighth of

an acre means three hundred twenty dollars from an acre. At that rate, a farmer who has a hundred-sixty-acre farm has something that beats a gold mine. One of my farmer friends told me that it used to be the practice of farmers to go to town with empty wagons, but today he hardly ever sees a farmer going to town but that he has something in the back end of the wagon. One of the incidental results is the stimulation to increased production of every kind of farm product.

Type of Organization

Now a word as to the agency which may take the place of the individual trader. I want to call your attention to this fact that approximately eighty per cent of the business of the United States is done today through corporate organizations. Go down the streets of this city and you will be surprised at the number of institutions that are corporations. Now, a corporation is an individual, a personality, just as much a creature as a Holstein cow, and is subject to certain influences to bring about specific results. There are two types of corporations, the ordinary and the co-operative. Each has certain characteristics just as marked as those of the Holstein cow. I am going to enumerate them briefly. An ordinary corporation is a limited concern, usually a family affair. Most of the corporations in your city are family affairs, or if they go outside it is to include some personal friend. If you think you have a good thing, you feel so kindly toward your friend that you are willing to take him in and let him share your good fortune.

The person that has the most money in the corporation has the most voice.

A member votes according to the number of dollars invested. So we say money dominates the ordinary corporation. That is true. The one consuming passion and purpose of the corporation is expressed in "How much profit can we make?" If the profit is big enough you know what happens. Why, the farm isn't in it for increased values. Stocks that sold a little while ago at fifty dollars a share, under the supposed stimulus of war conditions, have jumped to six hundred dollars a share. The same thing is true of marketing by our ordinary corporation. Up in a little town in Minnesota the farmers' elevator had three thousand dollars capital paid in and twelve thousand dollars surplus. Selling any of this stock? I guess not. Letting anybody else get into it? Not much. How much is it worth? Three hundred dollars a share.

The law is just the same everywhere. If the profit is big there is an opportunity to get big values on the original investment by multiplying the value of the stock. Secrecy? Certainly. There never has been an effort on the part of the public to look into corporate business but that it has been intensely resented, as interfering with private rights, and yet the people, through the bank examiners' looking into the affairs of banks, looking into the affairs of building-loan associations, looking into the affairs of insurance companies, have demonstrated conclusively the value of more publicity. But the ordinary private corporation says no, that is our affair. You keep your hands off. Autocracy, that is all there is to it, —a few despots, the fellows that have the money run the corporation and the small stockholders are mighty glad to

take the results of the autocratic conduct of business.

The Co-operative, or Democratic Type

Our market was organized under the other form, the co-operative corporation. The price of each share of stock is made small; everybody is urged to get into the game of unlimited membership. It is not money that determines the affairs of the corporation. It is men. It is democracy. Every man has exactly the same voice. It is not a matter of profit. It is a matter of service. We say in the conduct of our market that we wish to pay the interest on the capital invested, to pay the cost of running the institution and secure a reasonable surplus for credit. All the rest goes to the farmer.

Another thing: the business would not run six months if we did not keep the public fully informed as to just how the business is being conducted. Publicity is the essence of democracy. Co-operative corporations are simply kindergartens in the matter of democracy.

Obstacles

What are the stumbling blocks in the way of successful community markets? Greed, habit, ignorance, and the greatest of these is ignorance. Ignorance crucified the Savior. You remember the prayer on the cross? "Father, forgive them, for they know not what they do." Ignorance is the trouble today with innovations, including new methods of marketing farm products. One of the greatest objects or purposes of every community or commercial clubs of every organized instrumentality that deals with the affairs of the community should be to educate the public to understand. When people

know, it is not so hard to sell stock as when they do not understand. And I want to tell you, frankly, I got into this game and got interested in the Stillwater Market. At first it was so hard to sell stock to people who were ignorant of co-operative markets that we had to borrow money at the bank with which to do business, and I was one of a dozen endorsers of Market notes. There isn't anything else under the heavens that will get a man into a game with more interest than to be an endorser on a note at the bank. For that reason I have been intensely interested in the success of the Stillwater Market.

Now, I haven't the time to go into this thing as I would like to. Just a word on this matter of management. The great fool practice—everybody does it—is to organize and sell stock to get some money. Why, money isn't anything. It is the man behind the gun that is everything. It is the manager. After we had been running this institution of ours two years, we were in the hole sixteen hundred dollars. that is the time I felt a serious interest in the market. I was yet on the notes. I happened to be in Northfield, waiting for a train. I saw across the way the sign "Farmers' Elevator." It is a good thing to get acquainted with the other fellow and find out how he does business. This was the conversation: "How long have you been in this game?" "Twelve years," he replied. "How are you making it go?" "Fine. We've got a surplus of \$7000." "How long have you had it?" "Seven years." "What did you do the first five?" "We went in the hole five thousand dollars." Sounded mighty good to me. Then the answer to the next question was

the best lesson of my life. I said, "How did you get out of the hole?" "We finally had sense enough to go and hire a man who knew how to run the business."

Now there you have the whole thing in a nutshell. In running anything it isn't money; it is having the man who knows how to run the business. We acted on the suggestion. I cannot go into the details, but in fifteen months the man we hired that knew how to run the business, took us from sixteen hundred dollars in the hole to twenty-five hundred dollars to the good, and we have been going ever since. We have over ten thousand dollars surplus and I am not worrying about the note any more.

Now, the biggest thing I bring to you people is this: Our forefathers were so afraid of crooks that they put provisions into the Constitution, which have been passed down the line even into the city charters that have made more trouble for us in the development of democracy than anything else. Our anxiety to be protected against the crook has made possible all the rottenness in American municipal and state and national affairs. The fact is that in our eagerness to head off the crook we made it easy for him. Now as a matter of fact when you and I get acquainted with our neighbors and do business with them, we find they are not crooked. But "What fools these mortals be!" And you know that is just all that ails us, and I am not so sure but that the theologians got the wrong word into the Scriptures when they talked about sin. They should have talked about ignorance. The thing we have got to be more afraid of, ten times over, than the crook, is the fool.

By that I mean the man who is wise in his own conceit, who is ready to run in where angels fear to tread. I mean the man who has been elected as a member of the board of directors and who thinks that because he has been chosen for that position his hat is too small and he must go and buy a new one. These are the fellows who make trouble. They don't want to let the manager run the business. You have got to get the man who knows how to run the business, and then let him run it. The only job for the board of directors is to get the right kind of a man. If at first they don't succeed, keep trying until the right one is found. Fear the fool rather than the crook.

It all sums up to this, Autocracy vs.

Democracy. That is the thing that is before us all today. When this war is over we are going to set our own house in order. We are going to make a literal application of what war is teaching us today as to the difference between the autocratic conduct of affairs and the democratic conduct of affairs. We are going to multiply co-operative corporations. We are going to make the business of the trader or the middle man a matter of service and not a matter of profiteering. Every co-operative enterprise that is in successful operation is simply a school, a kindergarten, in democracy. We who believe in democracy can do no more loyal service to help people understand and bring democracy into our business affairs.

Dr. I. J. Murphy, Executive Secretary of the Minnesota Public Health Association, has resigned from that position and accepted a commission in the United States service. Dr. Murphy served two years upon the League's Committee on Public Health.

A cooking rate of four cents per kilowatt hour has been announced in Hancock. It is in the form of an addition to the present schedule, for current used in excess of a block of seven kilowatt hours per counted room, at ten cents. This block is based upon the present average use for light, according to the company. Only the more important rooms in a house are counted, so that most residences will have a minimum block of from fourteen to thirty-five kilowatt hours at the ten cents rate.

Minnesota villages and cities are not neglecting to provide against the fire dangers, which is increased in war con-

ditions. The W. S. Nott Company of Minneapolis report recent sales of motor apparatus to Albert Lea, Alexandria, Willmar, Stillwater, Duluth, Ely, Fergus Falls, Detroit, Chisholm, Hopkins, Columbia Heights, Randolph, Clarkfield, Wanamingo, Detroit, Cass Lake, and Wells. Notice that most of these are members of the League.

Rush City is trying to augment its water supply, as the creek on which it has depended is too low to furnish a sufficient supply for fire protection.

An appraisal of the property of the Crookston Waterworks, Power, and Light Company has been completed, as a preliminary step in the possible municipalization of the plant. The appraisers have fixed upon \$535,000 as a fair valuation. It is reported to be a higher sum than the company has heretofore offered to take for its property.

Changes Ahead*

By Marion LeRoy Burton

President of the University of Minnesota.

Mr. President and Ladies and Gentlemen:

I am glad to be here, because it is a pleasure to meet the men who represent the municipalities of Minnesota. You know that the president of the University is expected to be a talking-machine, particularly during the first year of his administration. People are not so much concerned about what he may have to say as they are to see the animal and to see him perform! So, out of about twenty invitations which come to me I accept one, and I accepted the one to come here tonight for two reasons: first, because it was extended to me by a man for whom I have a very high regard, Mr. Richard R. Price, who is in charge of the Extension Division of the University of Minnesota, and, second, because I wanted the privilege of meeting here the men who perform the responsible functions in the municipalities of this commonwealth.

Now just once during this entire summer did I try to speak upon a subject that was not exactly patriotic or did not deal with the subject of loyalty, and while I was making that address I made up my mind that I would not make such an address again until this war was over, or at least until I was absolutely sure that every person, particularly those in authority, was un-

qualifiedly loyal to the American government in this great struggle.

This brings to my mind an incident which occurred in the state of Georgia. Two men, weary and travel stained, suddenly discovered that they were lost. They were also very hungry, and desired, if possible, to procure something to eat before nightfall. In the distance they saw a darky's cabin, to which they made their way. At the door they were met by a colored mammy. They asked her for something to eat. She said, "I'm very sorry I can't give you anything." Finally one of the men said, "Haven't you any corn bread?" She said, "Why, if corn bread is what you want, just come right in, for that's just what I haint got nothing else on hand but."

And so, men and women, when it comes to the subject of loyalty and patriotism and to what our duties and obligations are as representatives of the communities of Minnesota, I can say to you I haven't anything on hand but patriotic speeches. That is the reason I am taking for my subject tonight "Changes Ahead."

Changes Are Upon Us

I do not come before you as a prophet or the son of a prophet. I do not mean to be particularly concerned about whether what I say ever comes to pass or not. I do not mean to be encouraging or threatening, optimistic or pessimistic; but I do propose to get before you, if possible, one very

* A stenographic report of President Burton's address at the Fifth Annual Convention of the League of Minnesota Municipalities, St. Cloud, October 17, 1917. The address was delivered without notes, and was frequently interrupted by applause.

clear proposition, namely, that we are in the midst of overwhelming changes. Whether we like it or not, whether we are part of it or not, whether we approve of it or not, the fact remains that the old civilization is being torn into shreds, that the old order is rapidly passing away, and that a new order is in the making. The question is precisely what part you and I are going to play in the making of that new order.

Please observe that the issue I am trying to get into our minds is this: that, just as sure as fate, the things which made our civilization in recent decades are passing away and totally new and unexpected and unanticipated and uncomprehended situations are going to arise. We are in the midst of forces which we neither understand nor can comprehend; the whole world is in a state of flux, and no previous generation of men and women has ever faced the problems that you and I must face in the decade just ahead.

I. Changes in Personal Living

I want to discuss for just a moment the most intimate details of our life, and to have you see that if you and I tonight are loyal and patriotic American citizens, we must almost instantaneously, over night, make changes in our methods of living. Take the question of food, something that relates itself very closely to the things that you and I do every day of our life. You and I are not loyal unless we have recognized at once our responsibility to our government and to our associates in that we should eat less wheat, less meat, less fats, and less sugar. If you and I are eating the same breakfast foods and as much white bread as we ate six months ago, then we are not

making the response we ought in the midst of the present situation. Likewise, there ought to be a change in another matter of our daily living, namely, our clothing. I am not talking against the tailors, or the clothing shops, or the millinery shops, but I do believe that in these war times it becomes our duty to recognize that possibly we ought not to spend so much money, and certainly not so much time, on the question of clothes as



MARION LE ROY BURTON
President of the University

many people in our generation have been spending in recent years. I believe that all of the things which come closest to us and affect in the most intimate way our daily living ought to become objects of very careful consideration. More and more, in every community, there are homes from

which the husband or the son have gone forth to war, and it is not going to be possible for those families to maintain the same standard of living as they maintained in the past. It is for you and me to make sure that we create a genuine social approbation of those people. You and I ought to be able to say to them, "We respect you, yes, we congratulate you, for the contribution you are making to your country in this hour of crisis." Instead of gathering together somewhere and gossiping about how Mrs. Smith cannot live and dress just the way she used to, we ought to make it clear to her that in our hearts we have a profound regard for what she is doing, for the suffering and the sacrifices through which she is going, in order that there may be a better world for us to enjoy.

Men, you and I are less than human if we permit for one instant any who have pride and self-respect to suffer because they cannot live just as they used to live.

So, I say there must be change in our food, in our clothing, in our standards of living, and also in that thing which concern all of us—our work.

Now and then I hear a man say, "My business is not what it was before the war began." Of course it is not. It is not the same with any of us. My work is not what it was before the war began. Every day brings to us new problems and situations, because we are in the midst of war. All of our work must inevitably change, for we are not living in times of peace—but in times of war. And the same thing applies to recreation. It is a significant fact that the president of the United States has not seen fit to take a vacation this summer. You and I haven't

any right to think so much of rest as we used to think.

Again, every atom of our strength, physical and nervous, must be given to the end that the United States may win this war. Eating, drinking, living, working, playing—these are the things that make up our daily life.

But there is one other thing that concerns all of us more intimately than any of these. I do not care what your attitude is to it, I am not particularly concerned about how you define it, I am not concerned as to what may be your thought about the external manifestations of it in our common life, or the organization which represents it; you may even scoff at it if you please, but it is only because you do not understand it or the organizations which represent it. I refer to religion. I believe that the war is going to make more change in religion than in almost any other phase of our common life. Are you a father and did you march beside your boy to the station the day he took the train to go away to the camp? If you did, or if you saw some other man that you loved do the same thing, how did you feel? And didn't there go up out of your heart that day some silent, unformulated hope that that boy might do his duty, that he might have the strength to resist the awful temptations which gather about the soldier, that he might be faithful and loyal to the United States flag, and that he might come back when the war is over? Yes. And when he goes across the ocean and enters the trenches, and then when that crisis comes and he goes out over the top into No Man's Land, and then possibly when he slips into the great beyond, I am a little inclined to think that that realm which

for a generation has seemed less real than before will again be more vital and of more significance in American thinking and American living. When you think of all the stern realities that we are facing, when you consider the sacrifices and the suffering and the death which are to come to us as a nation, I believe that unselfishness and righteousness and justice and peace and goodness will be more real in American living than they are today. Yes, in some way I believe that religion too is going to change, or, rather, that our attitude to religion is going to change, and that our appreciation of it is going to be less formal and more vital, because of the war.

II. Changes in Business

Now, if that be true, let us pass on to the realm which is perhaps more significant, if that is possible, namely, the realm of business. I was in England all of the summer of 1914, and I observed in the papers there that they were endeavoring to develop loyalty to the slogan "Business as usual." I believe that if we are going to be successful in this war it is absolutely essential that the financial and economic and commercial life of our country should be just as normal and just as strong as it is possible for us to keep it. But the loyal, discriminating American citizen today is not harping upon the slogan "Business as usual," because it cannot be defended. Why, men, we are living in war times and not in times of peace, and many things which we can do and tolerate and enjoy in times of peace cannot be done or tolerated or enjoyed in times of war. And I think if there is any one thing in American life today that ought to

give us serious concern it is this—that there is the sullen appeal to class discrimination and class distinctions which, after all, are diametrically opposed to the very thing which we must develop in our country if we are going to win this war in the way we intend to. For we are neither business men, nor merchants, nor bankers, nor professional men, nor commercial club men, nor farmers, nor laboring men. We are all Americans! And so it seems to me that it becomes the duty of the business man to understand, if he has a forward-looking mind, that his work and the organization of his business must actually be related to the war conditions in which we find ourselves.

I am of the impression that one tremendous change in business is going to come in connection with luxuries. Less money will be spent on luxuries if you and I are the citizens we ought to be. But, on the other hand, that means that more money must be spent for necessities. When we think of what the United States government has upon its hands in the organization and the development of a great navy and of a great military force, then do we not see that there must be a great expansion of the business of the country? Think of the demand for food, for clothing, for munitions, for repair materials, for motors, and for all of the accessories that are absolutely essential to the successful maintenance of a great military establishment. Do we not see that business must expand, that more money must be spent, and that all this money our allies are borrowing in this country must be expended here for those necessities which make possible the carrying on of the war?

But I want to come to another point

which I conceive to be a fundamental principle in the business world and which I feel our commercial organizations must help to develop. I think we have been altogether too satisfied with producing large quantities of raw materials and have not been sufficiently concerned with the production of the finished article. I am told that the tonnage that goes out of the harbor at Duluth is greater than that that goes out of any other harbor except New York. But the difference is this—what they send out of Duluth is huge quantities of raw material. Let us be proud of the things we can do; let us utilize all the resources and potentialities of our great state, but there are other possibilities which we must not overlook. Take an illustration, to drive home the principle I am trying to enunciate. I think I can find one which will not offend anyone in the Middle West. Let us go to New England for an example. In the state of Connecticut, as you know, there is a city by the name of Waterbury. I suppose you have carried a Waterbury watch or joked about it. As you go into Waterbury on the railroad trains you see a great big sign which says, "Waterbury has something on everybody." I suppose you know, too, that Waterbury is the center of brass. I speak materially, not spiritually! Perhaps I should say it is the center of the brass industry. There is where the Ingersoll watch is made. And you remember the signs along the railway lines that read, "The watch that made the dollar famous." As you read that little sign at the top you learn that they have sold about forty-five millions of those Ingersoll watches. The point I am trying to make is this, that Waterbury has something on every-

body when you think of those millions of watches. Now what was true in Waterbury in 1914 when this war began? The truth is the Waterbury Clock Company was not making its watch crystals. It was importing them from Switzerland; but when the war began they found it absolutely necessary to equip their own factory for the manufacture of watch crystals, with the result that today they are making all of them. The principle I am getting at is this, that the American business man, if he is shrewd, will see to it that we not only produce large quantities of raw materials, but also that we produce finished articles in our country. That applies to the Central West just as much as it applies to New England or the far west. I believe that it is a part of our duty to the world to see to it that the full scope of American inventive genius is brought to bear not only upon the production of raw materials but also upon the making of the finished product. It seems to me there are almost unlimited possibilities for the development and expansion of business just because of our war conditions.

I remember reading in the New York Times last spring a statement by Frank Vanderlip, president of the National City Bank, in which he said that "there will be an expansion of business, and I do not mean an inflation." He said, "It will be the business of the government, and while I do not say that money will be easy, there will not be a scarcity of money." Now that prophecy has been fulfilled. It is true business is expanding. We are experiencing tremendous shiftings in the business, financial, and economical world. The patriotic, loyal American is not the one

who bemoans the fact that business is not precisely what it was before the war began, but he is the one who is looking ahead and trying to see what business is going to be ten years from now.

So, I say there will be changes in the most intimate concerns of our daily life and changes in business which must affect every person here and every person in the communities over which you preside.

III. Changes in Our Government

But do you not see, in the third place, how logically this leads us to a question which is far more difficult and which goes far deeper into the present issue than the one I have discussed thus far? If there are to be changes in business, we recognize at a glance that there must be far more serious changes in government. You are all more or less familiar with the problems of government. I suppose that there is no field in which we need greater scholars at the present moment and persons who have not only theoretical knowledge but practical experience than in the work of democracy. I think all of us must recognize that one tremendous change which has already come in government in America is the change towards the centralization of enormous powers in the Federal government. Whether we like it or not the fact remains that there is not a person here who six months ago would have ventured to prophesy the things which have actually come to pass in the way of the development of our Federal government. Think of the fact that there is not a man in existence in whose hands has been lodged so much power as is lodged at the present mo-

ment in the hands of President Wilson. Could you have dreamed, even a year ago, of the Federal government's fixing the price of wheat for the entire country, and the price of coal, and regulating food? Think of the provisions of the "Trading-with-the-Enemy Act" just announced this week. Think of how we have again and again put larger powers into the Federal government. What does this mean? It means that you and I, as representative American citizens, must be prepared in the years just ahead to decide whether or not this process shall go forward or go backward. We shall be called upon to decide whether or not it is right that the Federal government should hold all of these powers, or whether we should go back to those days of rampant individualism before the war, when every person did just as he pleased.

Now the questions that are going to come to us are something like these: Shall the Federal government take over the railroads? Shall the Federal government take over the telephone and the telegraph systems? It is the question of centralization of power in the hands of our national government. That change is already here. It is scarcely a prophecy. It is more a matter of history at the present moment than of prophecy.

But it leads us a little closer to the heart of the problem, and it is this: When we speak of changes that are ahead, the most serious question which you and I must meet is, Can the democratic American government be made efficient? That is the question that has been raised about democratic government from the days of Plato to the present. You and I know that it is a lit-

tle difficult for us at times to assert, without any qualifications, that democracy can be made efficient. I have a pet phrase which I often use. I say that I am going to discuss a subject with the "brutal frankness of a blood relative." I hope you know what that is! If you do not you have missed a great deal in life. Now they tell me that I came over in the Mayflower. So many hundreds of thousands of people did, that I am beginning to doubt it. But I say this to you only in order that I may maintain the assertion that I believe no one could escape from the inference that possibly I am loyal to the American government at the present minute. I have spent most of my life in the State of Minnesota. I think that in a sense I understand the people of this country. I am perfectly sure of one thing, and that is that I came from the people. I think it is well for us to observe that when you and I get together in a family circle such as this, where we can discuss things with that brutal frankness to which I have referred, that under such circumstances it is well for us to speak with perfect candor, and understand there is some basis for our foreign critics in passing comments upon the United States and the efficiency of our government. I am not going to weary you with any long portrayal of the shortcomings and limitations and failures of American government. When one thinks of the scandal of American politics, of the corruption, the bribery, the intrigue, and the duplicity, then it is not possible for him to consider with great composure some of the things that are said by the keen, discriminating persons who try to find out whether we are wise, economical, and efficient in the administration of our affairs. Think of

the Philadelphia Gas ring, think of the Tweed ring, think of New York city at the present moment. Think of the magnificently beautiful capitol of the great Empire state of New York, costing hundreds of thousands of dollars, with its magnificently carved mahogany ceilings—until one day a janitor accidentally slipped off a rafter and his feet went through brown paper!

You and I are perfectly aware of the fact that these are only superficial observations and comments upon politics and statesmanship and municipal administration in America. You and I must admit, candidly and frankly, that all of these things can be said with remarkable accuracy about our government. But you and I know something that most of our foreign critics never sense. They always interpret us in the terms of our successful and superficial materialism, and they do not come to see that back of all of these external things there is here the finest spirit of idealism that permeates any nation of the world today.

I wonder if you have read that little book of President Hadley's entitled, "Undercurrents in American Politics." If you have not read it you ought to, because it will bring to you, with perfect clearness, one idea, and that is that back of all of these failures of democratic government in America, there has been a steady upward tendency toward something that is economical and efficient. May I take a moment to sketch, with the greatest rapidity, some of the tendencies which can be seen in recent American development? Think of the fact that not very far in the past we have actually separated local from national issues. Think of the fact that we have

brought sixty per cent of the four hundred thousand government employees under civil service. I grant that the other forty per cent include the most important offices, but this task is simply not completed. Think of how, by various methods, the American people have been working gradually, quietly, incessantly, and persistently towards better and more practical methods of legislation. In some places they have had state constitutional conventions, in other places they have introduced the initiative and referendum. When you think of the recall and the primary and all of these other methods, what do they mean? Simply this, that the American people are absolutely determined that this American democracy shall be made efficient. **The significant thing about any individual or group or organization is not what it is, but what it is becoming; not so much what it may have been in the past as what it is going to be in the future,** for after all one of the fundamental tenets of my thought is this, **that only that exists which ought to be.** You and I know that American government is not what the carping critic says it is, but we know that it is what you and I dream in our best moments it shall be when we have brought to pass the things for which we are striving, that is what American government really is. It is just what you and I determine it shall be.

To my mind the supreme evidence of the growing efficiency in this country is to be seen in one of those magnificent accomplishments of President Wilson. I believe when the historian of the future writes the history of President Wilson's administrations he will recognize that one of his greatest ele-

ments of strength was found in the fact that so quickly and so speedily he realized that since August, 1914, the old methods of military tactics had been transformed and that the volunteer system was doomed. He recognized that in unmistakable tones we must proclaim to the Kaiser of the Imperial German Government that from nine to ten millions of the flower of American youth stand ready to prove to the Kaiser that democratic government shall not perish from the earth. That is the efficiency which we are manifesting to the world now. We are saying to the world, "Yes, we will show you that a democracy can be successful and efficient." I believe, beyond the shadow of a doubt, that we are going to win this war. I believe that one way we are going to win it is just through this tremendous change that has come over us, this development of a greater efficiency in the organization of our government. Through centralization to efficiency. Those are the changes which will come perhaps without much effort on our part now.

But there is another change which we must meet, and it is the thing which gives me pause and serious concern. Somehow we must get to the one hundred millions of our people a new conception of what democracy really is. You and I have imagined in the past that democracy is a form of government which is responsible to the people. That is true. Oh, if Germany had only had such a government! But with all of our thought of the blessings and privileges and opportunities of democratic government we have interpreted freedom largely as license, and we have failed to see what in essence a democratic government really is. We must

see that there are two sides to this shield. We must recognize on the one hand that the government which we make is responsible to us. But more and more, particularly in times of war, we must understand too that the people are responsible to the government.

Now how are we going to get that? How are we going to have the people see that once they have constituted government, then it is their duty to be loyal to that authority and to place at its disposal absolutely everything they have? For in this time of war our duty is not simply the making of a great army, but it is recognizing clearly the principle of the selective draft, that every man, woman, and child within the confines of the United States of America must deliver his full strength for the government. It is a question of putting an entire nation of one hundred million people under arms. Somehow, some way, you and I, as those who are responsible for communities, must see to it that our people get a deepened consciousness of their individual responsibility. Now how are we going to secure such a result? One way we are going to get it is to have them see the clearness, the seriousness, and the finality of the issue in which we are now engaged.

Men and women, I beg of you not to think I am losing my temper. I am not. What I am going to say I shall say with perfect deliberation. I do not mean to speak with disrespect for any person. I do not mean to say a word which will create false motives or unreal springs of action. I do not mean to do anything which would generate hate or revenge or vindictiveness. But I do mean to say something which will stir you to your very depths, which will

burn into your souls—the necessity of making the American people understand that there is only one side that can triumph in this conflict. I think that one way we are going to get this change that we want in our American government, this deepened sense of individual responsibility, is by having the people see the ultimate nature of the issue in which we are engaged. Why, men, it is absolutely final. We are witnessing the death grapple of two of the most gigantic ideas that have ever animated conflicting nations. Dr. Lyman Abbot, a very dear friend of mine, is the editor of "The Outlook." He has been a frequent guest at my home. He is not given to swearing or to the use of profanity. He is a man whose very presence is a benediction and who has a reverence for everything that is fine and beautiful. But I wonder if you read his editorial in the August number of "The Outlook." Do you remember in that editorial he said that the best speech that had been made for the Kaiser was made by an unknown orator at a peace meeting in New York? Now I remember that speech word for word. This man exclaimed, "To hell with America!" That is precisely the issue. You say, "What do you mean?" Frankly and brutally I mean this: You know and I know that in the summer of 1914, when the Kaiser practically dictated the note to Austria that went to Servia, the Kaiser simply said to all the civilized nations, "To hell with arbitration! To hell with the appeal to reason for the settlement of international disputes!" When the Kaiser sent his armies through Belgium what did he do? Why, his own chancellor fell to a depth from which he had to reach up to

touch bottom! He described a treaty as "a scrap of paper." What did the Kaiser say? He said, "To hell with treaties"—the most sacred and solemn engagements of civilized peoples. And when he sent out his submarines and sank the "Falaba" and the "Gulflight" and the "Lusitania"—think of the little children and the women—what did he say? He said, "To hell with international law"—among the best fruits of centuries of civilization. When in the wake of his armies maidens and matrons were raped and ravaged, and altars were desecrated, and homes were violated, and everything that you and I hold sacred and precious and inviolate was trampled in the mud, what did he say? Why, he said, "To hell with America!" That is all, "To hell with America!"

On the one side is ruthlessness and frightfulness and barbarism and militarism and autocracy, and on the other side is good will and brotherhood and freedom and equality and education and opportunity and democracy.

Is there any question as to where we ought to stand? Are there two sides to this issue? Sometimes a man has the stupidity to say to me that he is not pro-German but that he is against the war. Before he can get his mouth shut I say to him, "You are pro-German, for 'he that is not for us is against us'."

If ever there was any truth in the sayings of our Master there is truth in this one; "Ye cannot serve God and mammon." If there was ever a holy war this is a holy war!

I believe that war is the most infernal, diabolical, insane, damnable method that was ever devised for the

settlement of international disputes, but I believe this war offers to this generation the greatest spiritual opportunities that any nation has ever had extended to it. It is the death grapple; this is a fight to the finish. When I think of Count von Bernstorff and of the things he did while enjoying the hospitality of a friendly nation, and von Luxburg in Argentine who sent that telegram saying sink them "without a trace" and von Zimmerman trying to occasion war among Mexico, Japan, and the United States, and deliberately planning the dismemberment of America, I wonder how we endured so patiently the egregious conceit and the utterly dastardly conduct of Germany's officials. How long, I say, can you and I as Americans be willing to tolerate such things as these in the world? Why, Germany has been a menace to civilization, and she has made for enmity and friction and war throughout the world. We have tolerated it as long as we can. I believe with all my soul that there is no possibility of making any peace with the present German government. Only when we can deal with responsible parties representing the German people is there any possibility of concluding peace.

So I say that there must come a tremendous change in America, in our government, dependent upon a deepening sense of responsibility, arising out of the fact that you and I see with clearness the seriousness and the finality of the war in which we are engaged. I, for one, have no sympathy or toleration for any individual or organization or party which for one instant would do anything to hinder the United States government or would

seek to set his or its interests above our government in this crisis.

IV. Changes in International Relationships

Now, gentlemen, you see the further point to which I am leading—not only changes in these intimate concerns of life and in business and in government, but if we are rising to the heights of this crisis we must recognize that it means fundamental changes in our international relationships.

You say, why are we concerned about things so remote as that? They are not remote. They are so intimate, they are so near to us that we cannot speak of them as being far. The fact remains that our international relationships have changed. It is no longer possible for you and me to speak of our isolation. We are not isolated. We can no longer boast of thousands of miles of ocean separating us from other continents. We must recognize that we are now citizens of the world, and that is our glory. That is the fulfillment of the promise that our nation made to the world in 1776.

Don't you see what this war means? It means writing the Monroe doctrine not in terms of a hemisphere but in terms of a world. For what did the Monroe doctrine say? It said to the world, "This is the western hemisphere. Hands off. We will take care of our weaker sisters at the south." We can scarcely use that phrase any longer. We must recognize that the lines run not only east and west but north and south. We are to be bound together as two great continents. The Monroe doctrine says that we stand ready to protect the American nations. Now we read it in world terms

and we say to all mankind, wherever any people is suffering because of the aggression and the injustice of another nation, "We stand ready to defend and to give of our best that that nation may be protected." That is the Monroe doctrine.

Do you imagine that anyone can possibly misinterpret our motives in this war? I challenge anyone to show conclusively that America's motives are false. Sometimes they say it is a dollar war, sometimes they say it is a war for the profiteers, but it will take more evidence than has been submitted up to the present time to convince the country of the truth of that accusation, because I believe no people ever went into a struggle with higher motives than those with which we have gone into this war. Do you suppose there is any method or means by which any nation could give us an indemnity because of this war? Do you remember how the European diplomats shook their heads back in the days when we returned to China the Boxer indemnity? They could not understand it. They did not know what our motives were. They searched for something ulterior, but even in the case of civilized China we rose to the heights and sent the money back to her and said "Use it for the training of your boys and girls." I imagine we would endeavor to rise to the same height even with Germany if she too endeavored to pay us an indemnity, and we would say to her "Use this money for the production, if possible, of a race of boys and girls and young men and women who can make a genuine contribution to the largest life of the world and civilization." Do you remember how the European diplomats were troubled

about the Spanish American war? They could not believe that we really meant to do what we said we would, that we would actually send out navies and armies for the defence of a little downtrodden island near to our coast. They could not believe it. But when it was all over and we had made Cuba free, they still were searching for ulterior reasons for our action. To my mind one of the most beautiful incidents of the present war is this, that when the Congress of the United States of America declared that a state of war existed between the Imperial German government and the United States government, little Cuba came along and said, "Me too."

In other words, our history proves that we are animated by high motives and that we do fulfill our promises. Do you suppose that we are in this war for conquest or for territory? We are not out for conquest, or for the crushing of any people, or with any false motive, but we have gone into this war for just what President Wilson said, "to make the world safe for democracy." We must recognize that upon the solution of the problems of Central Europe hangs the fate of American civilization.

I say we shall experience great changes in our international relationships. I believe that just so surely as we are here tonight we are going to see a league of nations which will enforce peace, which will make it utterly impossible for any other nation again to produce such a world conflagration as you and I witness today.

Other Changes

Now I might go on, but I am not going to. I might speak about the chang-

es that are necessary in education for the realization of this great program. I might have you see that in American democracy, yes, in any democracy, its ultimate development depends upon the intelligence and the character of its citizenship. I might discuss with you what education must do if we are to rise to the full meaning of these large problems. We must save more of the time of our boys and girls. Education must be developed so that more and more it fits our boys and girls for American citizenship. I might have you see how our education must be developed and changed so that it may meet the conditions of the new world order. I hope I have said enough, however, by way of illustration to have you see that just so surely as we are here now we must prepare for the most stupendous, overwhelming, momentous changes that any generation has ever witnessed. If that is true what is going to be our duty and responsibility? Do you not see that we must be ready for these changes, that we must be willing, with an open, frank, and candid mind, to appreciate these problems, and that we must be willing to give of our time and our thought and our money that these problems may be met? I say that we face great changes, and that a new order is in the making.

Virginia's municipally owned public utilities are earning surpluses at the present rates, and it is intended to make reductions shortly in the cost to consumers.

The per capita consumption of water from the municipal plant of Virginia is fifty gallons per day. There are fourteen hundred and eleven meters in the system.

Report of the Executive Secretary

On his trip to the Detroit meeting of the
National Municipal League

Pursuant to the authorization of the St. Cloud Convention the Executive Secretary of the League attended the meeting of the National Municipal League in Detroit, Michigan, during the third week in November. As it is impossible to give a complete report of all that occurred at the meeting, the Executive Secretary is publishing only a few notes upon the program and upon certain other matters in which the readers of MINNESOTA MUNICIPALITIES may be interested.

City Manager Form

There were three luncheon conferences of the National Municipal League. The first was devoted to a discussion of the question "Will the City Manager Form of Government fit all cities—large cities—machine controlled cities?" The question had been raised in the summer in a magazine article by Delos F. Wilcox, and it was hoped at this meeting to answer it rather definitely. Hon. Lawson Purdy, President of the National Municipal League, presided. The question was discussed by Richard S. Childs of the National Short Ballot Organization, by Gaylord C. Cummin, City Manager of Grand Rapids, Michigan, by Ossian E. Carr, City Manager of Niagara Falls, New York, by Henry M. Waite, City Manager of Dayton, Ohio, by Wm. E. Boynton, a councilman of Ashtabula, Ohio, which has not only a city manager, but proportional representation in its city council as well, and by George B. Harris, a city official of

Cleveland, Ohio. All but the last named answered the question in the affirmative, and expounded sound principles or cited confirmatory experience in support. Mr. Harris answered the question in the negative, basing his contentions not upon any general reasons, but upon conditions which he thinks may be peculiar to any particular city, and which may make it necessary for that city to have a form of government which is likewise peculiar to itself. He thought the manager form professed too much efficiency, and achieved too little democracy; that in many places the people did not want an "efficient" government; and he cited the good results which Cleveland is getting under a new charter in which the mayor is given a great deal of power. It may be noted that the advocates of the city manager form claimed this last as direct evidence in support of their views, inasmuch as the Cleveland mayor has virtually the powers of a city manager, with some legislative powers added, and with the difference of being elected by the people rather than by the council.

The discussion was closed by the reading of a letter from Mr. Geo. W. Knox of Niagara Falls, New York, which sums up the matter admirably and sanely. "The city manager form of government will fit all cities, large and small," says Mr. Knox's letter. "It will not fit a machine controlled city and neither will any other form of government. If the people of the city have no more public spirit than to per-

mit it to be machine controlled, they will get under any form just what they are entitled to,—to wit, the worst of it. Give me a political machine comprised of men with nerve enough and corrupt enough and I will guarantee under the city manager form of government to subject a city to a strong arm game that would make the Den of Forty Thieves look like a Methodist prayer meeting in comparison. This is assuming that the electorate of the city is subservient enough to stand for the machine. The advantage of the commission form or the city manager form of government is its simplicity, its directness and the fact that it makes corruption or inefficiency on the part of any particular official conspicuous. But it avails nothing to have these things conspicuous if the people simply ignore them or confine themselves to grumbling about them. The city manager plan to be successful must have a wide-awake public-spirited electorate. One criticism of this form of government is that it is not democratic but that it is autocratic. There never was a greater fallacy. Success of this form depends, in my judgment, very largely upon an active democracy, the active participation in city affairs of neighborhood associations, commercial associations, welfare associations, and all other civic bodies. One of the mistakes on the part of a great many of our people is the assumption that by merely putting in a city manager form of government, five men and a manager are going ahead and run the whole municipal machinery and relieve every citizen from further worry or responsibility. It can't be done. Another bit of camouflage in regard to the city manager

form of government is that it is advisable to have a civil engineer for city manager. He might be the best engineer in the United States and the worst city manager. An engineer may be able to devise a fine bit of public work at the most economical cost, and he may carry this through all of his administration where engineering is involved, and yet be a dismal failure as a city manager. There seems to be a concerted movement on the part of civil engineers towards city manager jobs. The quicker our cities shake off this fallacy the better it will be for them. You might just as well argue that because you must have a law department for your municipality, lawyers are the best qualified, or that because you must have a health department for your municipality, doctors are the best qualified for managers. This argument that the men of any particular trade or profession have a tendency to make the best city managers is a joke.

"What you want for a city manager is a manager, a man who has brains enough to hire a corporation counsel, a city engineer, and a health physician, a man who is big enough to lay his resignation on the city council table at any time and go out and get another job, so that he need not be afraid of losing his job of city manager. He must be economical and a good business man. He must have tact. He must meet the people of the city in a way to please them. He must be broad enough to understand that merely keeping money in the city treasury or getting a dollar's return for a dollar's outlay is not all there is to running a city. The social conditions must be kept right. People must be kept sa-

tisfied. He must meet criticism smilingly and courteously. He must know how to deny a favor without offending and he must be able to grant a favor without making the recipient feel that it is granted grudgingly, and unless a manager can do these things the management will not be successful or popular, nor will it last, no matter what may be its economical virtues. I am afraid that the saying: 'We must run our cities as we run our business' has been taken too literally. We certainly should do that, but we must do something more. The manager who cannot do that something more will not succeed. He must get the average citizen working and participating directly in the running of the city. A council or a manager who does not encourage the active participation of the democracy will have a job on hand which cannot be successfully performed."

Municipal Pensions

Hon. Lawson Purdy in his presidential address discussed the subject of retiring and pensioning municipal employes. Present practices are inadequate, and not based upon sound principles. We need to put retirement of municipal employes upon an actuarial basis, and extend the benefits of it to all municipal employes. The means that the employes should contribute certain proportions of their salaries, and upon reaching retiring age should receive annuities earned. This would make it a species of insurance, and leave no taint of charity in it. It would make it possible to retire employes whose age renders them incapable of doing efficient work, but who are now kept on the pay roll by

officials who are reluctant to deprive them of their only source of income, but who are none the less handicapped by this necessity of keeping a force some of whom should be superannuated. Mr. Purdy goes on to show that it is not at all impossible to work out the details of such a plan so that it will cost the municipality for less than the present method of employment beyond retirement age, and of giving an inadequate "pension," if anything, upon retirement.

Whose Business Is The Budget?

"Executive or Legislative Budgets." was the bone of contention at another session. There were many words about autocracy and liberty.

Non-Partisan City Government

The second luncheon conference was devoted to the discussion of non-partisan city government. Two questions appeared: "Can we have it?" and "Does the Non-Partisan Ballot eliminate the party machine?" There were differences of opinion upon both; the "practical politician" view as presented by one who professed the title and by others who adopted the same view point, was that non-partisanship is an illusion. Certainly the attempt has failed in some instances, yet in others it has succeeded, and the champions of non-partisanship refuse to be cast down. May it not be that we want parties, but want them to be **true** municipal parties, formed upon **municipal** issues in each instance, rather than the shadows of the national parties? It is the latter contests which bring disaster into city governments. There came into this discussion also some doubts whether efficiency is compatible with democracy and liberty, but the buga-

boo was not permitted to create a distraction from the main subject of the discussion.

The City and County

The elimination of county authority from cities, and the consolidation of urban and rural governments were the subjects of one afternoon's work. Many interesting matters were developed. We cannot recount them in this report.

Other Matters

Many other subjects were covered on the program, which must be passed over without extended review. Mr. Delos F. Wilcox read an admirably thorough paper on public utilities, there were sessions on the food situation, on training for public service, and on "selling" good government to the people, and on the experiences of Canadian cities war time. Besides these, there were simultaneous meetings by other organizations related to the Municipal League. The Executive Secretary attended one such which was announced to consider an interesting subject, and was disappointed to find the program not carried out.

Conference of State Leagues Represented

There were representatives in attendance from nearly all the active state leagues of municipalities, and these met at breakfast during the week, to discuss matters of policy and organization of state leagues. Membership, finance, programs, work between conventions, relations to universities, publications, and many other topics were threshed out so far as time would permit. The Executive Secretary hopes at the Rochester convention to report on this conference more fully than is pos-

sible here. He is pleased to report now, however, that while the League of Minnesota Municipalities does not yet have so large a membership as a few older organizations, it has just as active and loyal a membership, and that it appears to be on a more secure financial basis than some others.

The Canadians

The Executive Secretary had the pleasure of conveying the greetings of our guest and speaker at St. Cloud, Mayor Hardie, President of the Union of Canadian Municipalities, to its Secretary, Hon. W. D. Lighthall, K. C., who was in attendance at Detroit. It was the good fortune of the Executive Secretary also to sit with Mr. Lighthall at one of the luncheons, and so to learn much of the successful unions of municipalities in the Dominion, our neighbor and our associate in war.

Conclusion

The Executive Secretary's opinion is that the trip was worth while. There were a few parts of the program which might have been improved upon, but there was much more of good. It was worth while even from a financial standpoint; one feature gave a tip which will save nearly the cost of the trip in the bill for the League's next convention at Rochester, as compared with the same item in the past two years.

The new city charter proposed for the Village of Wadena was defeated at the special election December 3, by a vote of two hundred twenty-three against to one hundred three for. Fifteen sample ballots with a printed x mark against the charter were cast, and thrown out by the judges as illegal.

The Bureau of Standards and What it Can Do for Your Municipality*

By Milton Wend, Bureau of Standards,
Washington, D. C.

The National Bureau of Standards was established by act of Congress in 1901 to carry out the powers conferred upon the Federal Government by the clause of the Constitution which gives Congress the power to establish standards of weight and measures. Since that time, the activity of the Bureau has been extended into other fields and at the present time, it deals with (1) standards of measurement, (2) standard constants, (3) standards of quality, (4) standards of performance, (5) standards of practice.

It would take too much time to attempt to describe the many activities of the Bureau as they are apparent to one who visits it today. Five large buildings and several small ones are occupied by a working force of over seven hundred people, nearly three hundred of whom have come in since the U. S. entered the war. This is an intimation of the number of war problems which have been given to the Bureau to solve. If the visitor were a city official, however, there would be certain things in which he would be especially interested and these I shall touch upon briefly, today.

Weights and measures naturally comes first to mind and first in historical order. The Bureau has the custody of the primary standards of this country. These are kept in sealed vaults and only brought out at infrequent in-

tervals in order that the working primary standards may be compared with them. At still less frequent intervals they are compared with the primary standards used by other countries. From the primary working standards radiate standards of decreasing accuracy out into the various state, municipal and industrial bureaux of weights and measures scattered about the country. An annual conference of weights and measures officials is held in Washington. Those who attend find a great deal of useful information and inspiration. It is perhaps unnecessary to point out, at this time of high prices, the importance of systematic inspection of the measuring and weighing instruments used in the local trading in our cities and the large savings which result to the people from this sort of control. Those who are planning an extension of this work are invited to communicate with the Bureau of Standards and to get the benefit of its wide experience.

The part of our work which it is especially desired to emphasize at this time is the public utilities service standards activities. This work is a response to an increasing demand from many parts of the country for accurate and unbiased information regarding many of the problems which arise in connection with the operation and regulation of public utilities.

The first element of good service is the correct metering of the service rendered. This involves the testing of me-

*Address delivered at the Fifth Annual Convention of the League of Minnesota Municipalities, St. Cloud, Minn., Oct. 17, 1917.

ters. It was found that methods, standards, and legal requirements differed greatly in different parts of the country, and indeed even in neighboring cities. Practice and legal requirements were studied and analyzed. Frequently the state utility commissions have promulgated service rules. In other cases, city ordinances and franchise provisions made these provisions. The service rules go beyond the testing of meters and cover the facilities for insuring continuity of service, for maintaining constant voltage, and similar elements necessary in furnishing satisfactory service. These investigations have resulted in the publications of two circulars, one "Standards for Electric Service" and the other "Standards for Gas Service." Besides summarizing the practice and ordinance at present in vogue, both of these circulars contain model ordinances for cities of various requirements. In the gas circular, a brief discussion of the technology of the gas industry and an appendix of useful statistics is included.

One of the main points of discussion today in connection with gas service is as to whether the quality of the gas shall be prescribed upon the basis of candlepower or of heating value. At a time when the principal use of gas was for illumination, its service value was largely determined by the candlepower secured in this way. Today the open flame burner has largely been displaced by the mantle burner where gas is still used for lighting, and the larger portion of the gas consumed is used in cooking and for various heating purposes, both domestic and industrial. The heating value of gas has thus become of the greater signi-

ficance, and the open-flame candlepower of minor importance. The use of the open-flame burner is very wasteful and will probably pass out in a short time. In changing from a candlepower to a heating unit basis, it is necessary that some adjustment in the price of the gas be made in order to protect the consumer. With the present high price of gas oil, from which the vapor giving higher candlepower content is obtained, it is especially pertinent at this time for many gas companies to make the change. The city of Chicago called upon the Bureau last year to investigate the question as to the relative usefulness to the consumer of twenty-two candlepower gas compared with gas at five hundred sixty-five British Thermal Units per cubic foot. As the result of considerable laboratory and field work on the part of the Bureau staff of engineers and chemists, the conclusion was reached that the usefulness of gas of different heating values was almost exactly proportional under ordinary conditions of burning to its heating value, and consequently for the customer to receive the same value per dollar expended, it would be necessary to make the price also proportional to the change in heating value.

An immense amount of work has been done by the Bureau with regard to the reduction of the life hazard in electrical installations to the consumer, the operator and the passerby. This has taken practical form in the National Electrical Safety Code which does for life hazard what the Underwriters Electrical Code does for fire hazard. This code, which is the result of many conferences with engineers, operators, and other practical people, is being

used as a standard by several states and cities, as a reference standard by others, and many more are considering its adoption.

The Bureau has now in preparation a similar set of rules applying to the gas industry, which will be known as the National Safety Code. This is being developed with the cooperation of the gas engineers, insurance representatives, and other interested parties. It will aim to cover not only health and life hazards but also fire hazards, a field which it was not considered necessary to cover in the Electrical Code.

The question of street railway electrolysis mitigation has received considerable attention from the Bureau. Many cities were finding and are continuing to discover damage in varying amounts to the water, sewer, and gas pipes and to underground telephone cable sheathes, caused by those return currents from the trolley car, which persist in leaving the rails in search of a shorter and easier path back to the power station. In some cases, the attempt was made to settle this trouble by recourse to lawsuits, often costly, and ineffective as far as a real remedy is concerned. The Bureau has been working for over six years in the field and in the laboratory, and is in a position to recommend mitigative systems which will work, and to undertake surveys for the purpose of discovering the presence and extent of electrolytic damage. By attempting to get the various parties to the case to cooperate and by applying technical rather than legal methods to the solution of the problem, noteworthy results have been accomplished in cities scattered about the country. Some

of the cities where electrolysis surveys have been made are Springfield and Elyria, Ohio; Atlantic City, N. J.; St. Paul and Duluth, Minn.; Omaha, Neb.; Council Bluffs, Iowa; and Springfield, Mass.

Street Lighting is receiving its share of attention at the Bureau, and it is planned to issue a very complete circular on the subject, covering the scientific and technical aspects of the subject, and putting special emphasis on the matter of street lighting contracts and franchises. The practice in many cities will be given and model contracts to meet various situations will be included. While this work is not yet in publishable form, part of it is available through correspondence and by personal request. Any of the cities here represented which is approaching the time for the renewal of a contract or the drawing of a new one may find it profitable to communicate with the Bureau.

The work in connection with water service and the necessary standards is just beginning but its results should be available before long.

Likewise, telephone service is receiving its share of attention, and the Bureau has under way an investigation of telephone apparatus and of standards for telephone transmission.

One of the state public service commissions brought us the problem recently of suitable standards for central hot water heating service. A study of this situation is under way. Perhaps one of the Minnesota plants can yield some experience in this line or, conversely, we may be able to help solve some of your problems in this field.

As cities grow in size and complexity, the desirability for centralized pur-

chasing, and more accurate specifications for materials, as well as the evident necessity for checking the quality of the goods delivered, becomes more and more a practice. When this problem comes up for solution in your city, you will find helpful suggestions in the work of the Bureau. To the Bureau has in the past been brought the task of performing this function for the federal government. Textiles, twine, and paper for the postoffice department; sugar for the customs department; paper and ink for the printing office; incandescent lamps for the war, navy, and treasury departments, are included in the list. Information regarding methods of testing and many of the standard specifications have been published, and others may be made available by writing for them.

Enough has been said to show the wide scope of the Bureau's activities. Its work on public utility standards

is of especial value and importance to municipalities, to state utility commissions, and to the operating companies. Regulation of utilities is becoming general. Intelligent and fair regulation requires a thorough knowledge of the elements that go to make up good service, and of what can be supplied at a given cost. The Bureau's staff of specialists studies these questions and puts the results into the hands of those who need them and who have to make decisions involving such knowledge. The Bureau has no function which involves making such decisions itself. Its function is to study, investigate, experiment where necessary, and make the results available; results which are obtained without bias for a particular interest, and results which it is not feasible or desirable for each city, state commission, or utility company to work out itself on account of the expense and the needless duplication of effort.

The St. Paul Charter Commission will submit an amendment to place that city on a cash basis. Under the contemplated provision all outstanding certificates of indebtedness would be funded by 5% bonds, payment of which to be provided by a special sinking fund levy.

Hibbing has purchased forty acres of land south of Alice as a site for a new municipal gas plant.

Chief Kelly of the Faribault Fire Department has recommended the pur-

chase of a motor driven combination chemical and hose truck.

Subscribers who wish to have their copies of MINNESOTA MUNICIPALITIES bound may have it attended to by the League. Send your copies to the Executive Secretary, with seventy-five cents to cover the cost of binding and return postage. The binding will be done in a good quality buckram, and stamped on the back and the cover.

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General Extension Division, University of Minnesota,
E. L. BENNETT, Secretary

The Municipal Reference Bureau is at the service of all Minnesota municipalities for the answering of questions concerning municipal government and administration, for making researches, drafting ordinances, and sending suggestions to municipalities with particular problems. A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

No Ordinance Needed

Question: We received "Order Number Fourteen" by the Minnesota Commission of Public Safety, relative to pool, billiard, and dance halls.

We have no pool or billiard halls in our village and the only dances conducted are those conducted by some club or society and invitations are sent.

The Village Council were divided in their opinions as to whether it was necessary for them to pass such an ordinance.

If it is necessary for us to pass such an ordinance, have you one in your "Reference Bureau" that we could get a copy?

Answer: I do not believe that there is any necessity for your council to pass an ordinance in conformity with the terms of the Public Safety Commission's Order No. 14, inasmuch as you have no pool or billiard halls nor public dance halls. It appears to me that there would be no more reason for you to pass this ordinance than there would be to pass an ordinance regulating street car fares when you have no street cars. I am confident that the Public Safety Commission did not intend to require such ordinances where they are not needed.

Schools and Courses in Municipal Subjects

Question : Does the University of Minnesota, or any other university, have a school for city managers or administrators?

Answer: So far as I know there is no university with such a school as you indicate. The nearest approach to it is the Training School for Public Service in New York City.

However, it is not at all difficult or impossible for one who wishes to prepare for responsible work as a municipal officer or administrator to find good courses for his purpose in the University of Minnesota, or in other universities. A neighboring state university offers the degree of Master of Arts or Master of Science in Municipal Administration to those who complete a given course. I have checked these courses, which are given in the regular departments of the University, with courses which are offered by the University of Minnesota, and I find that by selecting courses in the Departments of Political Science, of Economics, of Sociology, and in the College of Engineering, one could get a course quite as comprehensive and useful. Many students, of course, take

particular courses of these, but not all. As the public service becomes more generally recognized as a field for trained men to work in more will doubtless be attracted to take the entire group.

Sewer System Needed

Question: We would like to obtain some information regarding our drain situation. We are a village of about six hundred inhabitants. Our drainage system consists of a ten inch tile which empties into a creek about a mile distant. We use this as a drain by first running the sewage through septic tanks, individually owned. Most of our houses have sanitary indoor toilets and bath. However, many of our houses have basements and most of the drains from these basements are connected direct with tile drain and are not run through a septic tank. Consequently we are getting much wash water in our drain and are rather uneasy as to what effect this soap water will have on our drain.

Now many of our septic tanks are not put down deep enough to take the basement drains. Can you suggest some way of handling these basement drains? Would building other septic tanks deep enough to take the basement drains be a satisfactory solution of the problem? This is mostly water from washing clothes in the basements, etc., and we wondered if there would be enough solid matter in it to work a septic tank satisfactorily.

Answer: As you describe your situation you have a problem which should be attended to, but not that of the soap water from your basement drains. That water is not of itself likely to clog or otherwise injure the drain.

However, your village does need a sanitary sewer system. Instead of having a small septic tank at each residence you should have a larger tank to handle the entire sewage of your village at one place where it should be brought by a system of tight sewers. Your citizens would find that this would be a great deal cheaper as well as more efficient than maintaining a large number of small tanks.

It is not impossible that your present drain should some time be clogged up by solids escaping into it from the septic tanks which you have already. At any rate the carriage of sewage matter in a tile drain without tight joints is a situation which should be avoided if possible.

ROLL CALL

Statements prepared for presentation to the St. Cloud Convention, about League members, by men who know.

BARNESVILLE

By Mayor N. B. Hanson

The City of Barnesville in Clay County lies at the extreme eastern edge of the Red River Valley. It has about fifteen hundred inhabitants made up mostly of persons of German, Norwegian, and Irish blood respectively, and all are loyal. Barnesville had a large loyalty meeting two days after the present war was declared, which was, so far as I know, the first loyalty meeting held in Minnesota after the war was declared. Quite a number of our high school students left school and volunteered, and many of our younger graduates volunteered early, which is a testi-

monial that our public schools have taught straight Americanism.

The receipts of potatoes, corn, and dairy products in our local markets are constantly increasing in volume. We have a soil that is especially adapted for the production of early Ohio potatoes near Barnesville, and the market facilities to handle such products are ample. Barnesville has a Farmers' Co-operative Creamery, a Farmers' Elevator, and a Co-operative Live Stock Shipping Association. In 1914 our creamery received 326,918 lbs. of cream; in 1916, 429,808 lbs. We have a new \$60,000 public school building.

The city owns its own telephone exchange, electric light and power plant, and opera house. The right of the State to collect a gross earnings tax upon the earnings of our municipal telephone exchange is to be decided by the Hon. William L. Parsons, district judge, before whom an action involving that issue has been tried. No decision has been handed down as yet. We firmly believe in owning our public utilities.

P. S. The case concerning the gross earnings tax on the municipal telephone exchange has been decided in favor of the city since the St. Cloud Convention.

NORTHFIELD

By Alex MacKay, Councilman
and

Roy H. Moses, City Clerk

We extend greetings from a community center with a community spirit that is embodied in the minds of all the farmers surrounding Northfield and the citizens in Northfield, and is the goal to which we are working. We

think the Community Idea is a good working idea. We have progressed a long way toward this goal by remodeling our Commercial Club into a Community Club, with members from the country as well as the city.

The farmers have several neighborhood clubs each having a bi-weekly meeting. Debates on many subjects are participated in both by the farmers and citizens of Northfield who attend each meeting and carry home many ideas that they put to practice.

Our slogan is "Cows, Colleges, and Contentment." We are in the midst of a dairy center that is forty miles south of the Twin Cities on the Dan Patch, C. M. & St. P., Rock Island, and Great Western Ry.

Another industry, which will be a great boost for Northfield is a large milk condensary. It will have a capacity of 80,000 lbs. of milk daily.

In keeping with the times we are developing around Northfield many full blooded Holsteins and Shorthorns, and many Percheron horses.

Our two colleges are also developing full blooded American citizens. Carleton College and St. Olaf College have an attendance of over one thousand, with large, new, up-to-date buildings and a force of teachers that have the welfare of the students at heart.

The business center of Northfield has been recently paved and a white way has been constructed along the main streets.

We are extending our sewer system thus opening up a new addition where new dwellings are being constructed. This helps our population which, with the students, totals to nearly forty-five hundred.

The League of Minnesota Municipalities

Organized August 21, 1913

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Minneapolis

SIXTH ANNUAL CONVENTION,

ROCHESTER

October 16-17, 1918

The League of Minnesota Municipalities is a co-operative association of the cities and villages of the North Star State, all contributing to the common stock of practical knowledge and experiences which is accumulating for the use of cities and villages in solving their actual problems of municipal administration. The purposes of the League are not narrow and self seeking; its efforts are directed toward the service of the municipalities of Minnesota by extending the achievements of each to all the rest, and by working all together to accomplish the things that can best be done by co-operation. The purpose of a municipality in joining the League is not to secure any particular advantage for itself alone, but rather to take its place and do its part in working for the advancement of good and efficient government for all cities and villages.

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MINNESOTA MUNICIPALITIES

Devoted to Municipal Progress in Minnesota

VOL. III.

APRIL, 1918

No. 2

In This Issue



TAXATION IN MINNESOTA

MUNICIPAL WOOD YARDS

REPORT OF COMMITTEE ON MUNICIPAL
ACCOUNTING

REPORT OF COMMITTEE ON JUDICIAL
DECISIONS

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CONTENTS

Editorial	
Contract Forms	41
The Economy of Meters	43
The Legend of German Efficiency	43
The Minnesota State Tax Conference	44
Taxation in Minnesota	45
Municipal Wood Yards	51
Report of Committee on Municipal Accounting.....	54
Report of Committee on Judicial Decisions.....	59
Municipal Economies in War Time.....	64
Information Department	
Internal Revenue; Leases.....	65
Wages in Municipal Plants	66
Re-naming Streets	66
Manhole Covers	67
Memoir—James E. Jenks	67

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Minnesota Municipalities

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Contract Forms

It is part of the editor's work to scan the pages of a considerable number of periodicals, among them a few engineering and contracting trade journals. These publications have ground for a proper interest in the forms and terms of contracts under which work is done. The outstanding feature of their editorial comments and of the articles they chose for publication was their attitude of hopefulness for the "cost-plus" contract. They damned the straight purchase-and-rule contract by unanimous consent. The only matter for argument was in what should the plus consist, percentage on gross cost, percentage on unit costs, fixed sum on lump cost, fixed sum on unit costs, fixed sum plus a percentage of saving on estimated cost or minus a percentage of excess above the estimate—it seemed that every week brought forth a new form of more surpassing merit than the last. We used to wonder whether the publishers paid their printers on cost-plus contracts, MINNESOTA MUNICIPALITIES having adhered to the straight fixed sum contract despite much urging to let the printing on a cost-plus basis.

When there came the time of the letting of many large war contracts by the Government the columns of our trade journals seemed exultantly to imply that the cost-plus contract had come to triumph, that Uncle Sam had definitely adopted it for nearly all contracts, and that there could no longer be any valid defense of a fixed-sum contract. So it was with a full expectation of receiving an official statement of the reasons for the superiority of the cost-plus contract that we sent for a government bulletin on uniform contracts and cost accounting definitions and methods. It was framed by a conference of delegates from the Departments of War, Navy, and Commerce, the Federal Trade Commission, and the Council of National Defense, and is the guidebook for contracting officers of the United States Government. The expectations which we entertained of it were not fulfilled. Here is the gist of what it says on the matter of contract forms:

"These recommendations are intended to suggest to contracting officers some of the broad legal and equitable points involved in war contracts, and to express the preference of the conference for a straight purchase-and-sale contract at a fixed price, since it is simpler in terms, easier to work under, and

generally speaking, productive of better and quicker results. The British Government, after several years' experience, has discarded the cost-plus contract plan and adopted the straight purchase-and-sale contract in every instance possible."

"Although a straight purchase-and-sale contract for a fixed price adjusted as indicated is greatly to be preferred, nevertheless in numerous instances the United States will be obliged to obtain production by paying for the entire cost of the same and in addition a fair profit to the contractor. Such cost-plus contract may be necessary under the following conditions:

"(1) Where the production is novel and the contractor has had no past experience upon which to base a price; for example, steel helmets, large caliber guns and shells for same, aeroplane motors, and the like.

"(2) Where the production involves difficult and complicated manufacturing effort subject to changing plans and specifications, or wide fluctuations in material costs; for example, steel and wooden ships, aeroplanes, optical glasswork, and the like.

"(3) Where the contractor, though deserving of confidence, lacks sufficient working capital and plant equipment to carry through the job.

"(4) Engineering or building jobs for which the cost-plus contract has many years been standard.

"It must be borne in mind that a cost-plus contract establishes a relation of trust between the United States and the contractor, in which the contractor is legally responsible at all times to work in the interest of the United States and receive no profit beyond that definitely specified in his contract. For all excessive costs, hidden profits in the form of depreciation, overhead, discounts, and the like, the United States may refuse to pay, or if the contractor has thereby profited may sue and recover. Practically, however, the interests of the United States and the contractor are inevitably opposed if the profit is based upon a percentage of cost. The temptation is great to the contractor to inflate his own costs, as well as the costs of subcontractors, and the task of the United States is difficult and burdensome in checking and determining proper costs."

The bulletin goes in great detail into the elements constituting a fair price, and into the principles of cost accounting which are to govern in cases where cost-plus contract cannot be avoided. And the standard contract forms recommended are marvelous works of precaution to assure that the performance of such a contract shall not be slurred nor the costs raised either by padding or by ordinary inefficiency. If such minute supervision is necessary, few small municipalities could indulge in improvements under cost-plus contracts. The more we contemplate the Hog Island affair and the more we come to understand what the National Industrial Conference Board meant when it listed among the first of the causes of war strikes "The unsettling influence of the cost-plus-profit feature of many war contracts," the more do we appreciate the soundness of the principles set forth in the government's

statement of policy, and the more firmly do we adhere to our ancient preference for a straight agreed-and-fixed-price purchase-and-sale contract.

The Economy of Meters

"The percentage of water meters installed as compared with the flat rate customers has increased from 90.2% the previous year to 93.2% the present year, and the total number of flat rate customers has decreased from 1177 to 847. All new customers are being served with meters."—From the report of the Water and Light Department of Duluth for the year 1917.

The change which Duluth is making is a happy one. Flat rates encourage waste of water, which means extra pumpage, and in turn higher rates. Meter rates make it possible for the customer to know precisely how he stands with the department, and stop the extravagance of the wastes, for which under flat rates the more careful customers would pay. A recent survey of water use in Chicago developed the facts that wastage under flat rates made it necessary to pump two times or more the amount of water needed, or used in metered services. It was noted, too, that in districts where meters were recently installed the waste was stopped, and at the same time most customers, although using all the water they needed, found their water bills considerably less. Extra pumpage means extra cost and extra coal consumption. It would be well if flat rates could be made into dodo birds.

The Legend of German Efficiency

There is a tribe who proudly believe that efficiency is an attribute of autocracy and oppression, and is incompatible with liberty and democracy. We may in another issue question the latter belief. We have never been convinced of the former, and so have never wholly accepted the fulsome laudation of the methods and results of German municipal government, so common in America but a few years since. So it is that we have been interested in the estimates of German municipal efficiency quoted herewith. The first is from an address by Mr. Thomas Adams, City Planning Advisor to the Commission on Conservation of Canada, and the other is from an editorial in the *Canadian Municipal Journal*.

"Attention is sometimes drawn to the efficiency of German municipal institutions. It is the fashion among some writers in America to magnify this efficiency. In the things that really matter, however, the German city is a long way behind the British city. Ornament and ostentatious display are paraded in front of the visitor to the German city; but behind the facades of the spacious boulevards there is congestion, overcrowding, darkness, and defective ventilation of the worst kind. German municipal efficiency in the case of Berlin results in five hundred thirty-nine houses out of one thousand in that city having four or five storeys, fourteen persons living in each house as against eight per house in London, twice the inhabitants per square mile that there is per square mile in London, seventy per cent living in two-roomed

dwellings as against about twenty-five per cent in London, forty-five per cent of all dwellings being back dwellings, fifty per cent greater death rate from tuberculosis than London, and seventeen per cent illegitimacy as against five per cent in London. In 1903 only thirty-three per cent of Berlin young men were fit for military service. Is this then the kind of efficiency we want in Canada, and for which we are asked to give up our liberties? The veneer of efficiency which deceives so many people is due to the autocratic methods of the Germans. We have no use in Canada either for these autocratic methods or for the so-called efficiency and its results. On the whole, we have good municipal institutions; at least, we have a good foundation on which to build. On the same foundation Great Britain has built up an excellent municipal structure, and progress in Nova Scotia will be along the lines that have been successful in the Mother Country."—*Proceedings of the Union of Nova Scotia Municipalities, 1916, p. 42.*

"We say that it would be a sorry day for us if the Germania brand of local government ever had an opportunity of being introduced into Canada—our rights and privileges as citizens to control our own municipalities would be gone, and without the satisfaction of knowing that we were being controlled even efficiently. We remember some years ago having to make a study of civic government in Germany itself—as it actually exists, or did; not as it is worked out on paper. We had to get the facts, and all we need say is, that living under the most adverse municipal conditions in Canada is very much preferable, to a man with red blood in his veins, to living under the conditions of municipal Germany. The German form of civic government is in reality but a detail of the state government which is bureaucratic in form, and as far as the head—the Kaiser—is concerned, autocratic in power. Citizenship, as we understand the term, is unknown in Germany, the men and women being merely numbers, their usefulness being measured principally by their procreation proclivities."

—*The Canadian Municipal Journal, April, 1916.*

The Minnesota State Tax Conference

The second annual meeting of the Minnesota State Tax Conference was held in Minneapolis February 27 and 28, 1918. The principal subjects covered in the program were the relation of the local assessor to equality in taxation, the improvement of the present township assessor system by the adoption of a county assessor system, and the exemption in whole or in part of household goods, general personal property, and structures and improvements on land from taxation, or its tax-

ation at a lower rate than land.

A number of resolutions were adopted, among them endorsements of the movements for the changes indicated.

The League of Minnesota Municipalities was represented by President Boylan, Vice-President Magnuson, Trustee Nichol森, and the Executive Secretary.

Hon. G. H. Gardner, state senator from Brainerd, was elected president, and John Dwan of Two Harbors was re-elected secretary-treasurer.

Taxation in Minnesota

By Hon. Samuel Lord, Minnesota
Tax Commission

The expenses of government in Minnesota have increased in the last twenty years at a very alarming pace. If it were not for the fact that the state has been increasing in wealth with almost equally rapid strides, it would be occasion for grave concern upon the part of every citizen who has the welfare and well-being of the state at heart.

In 1896 the population of Minnesota, as nearly as we are able to determine it, was about 1,560,000 people; in 1916 we had approximately 2,250,000 people—an increase of about fifty per cent in population in that twenty-year period. During that same period the expenses of all forms of government in the state and of all governmental activities increased three hundred thirty-five per cent, as nearly as we can determine it. It was costing nearly four times as much to carry on the functions of government and to build the buildings and things which are needed by municipalities and by the state as it was in 1896.

So you see, gentlemen, when you take into consideration those startling facts, that the problem of taxation is an acute matter in this state, which is worthy of the serious consideration of every thoughtful citizen.

The Tax Commission, as many of you and perhaps all of you have forgotten, was created by the legislature in 1907. At that time conditions were beginning to assert themselves in the state that made the legislature feel that some form of central supervision was needed if we were to have anything approaching a fair deal in taxation.

It had become manifest to everybody who was in touch with the situation that the burden of taxation in the state as it existed at that time rested most unfairly upon the shoulders of the people who had to bear it.

Following the suggestions of a very able tax commission that was created by an act of the legislature in 1899, and appointed by the governor shortly thereafter, which made a report in 1902, and acting upon the further fact that the people of the state, at the election of 1906, had adopted what is known as the wide-open tax amendment, the legislature of 1907 created the commission which I have represented in part ever since.

Immediately upon the selection of that commission and immediately after it assembled, we took up the matter of what we ought first to do to right things if they were wrong in the state of Minnesota. We immediately instituted some investigations. We wanted to find out where the greatest difficulty was, the greatest source of evil, and strike at that first.

The Big Faults

So, we went right down the line of the situation in Minnesota, and this is about what we found: We found that real estate throughout the state of Minnesota, although the law provided that all property should be assessed at its full and true value in money, was assessed in some communities as low as fifteen per cent of its true value, and that in other communities it was assessed from seventy to eighty per cent. We found in the assessment of

personal property an even more deplorable condition, if possible, than that. Great volumes of wealth which, because of their peculiar ability to go into hiding about the time that the assessor appeared—such as money and credits—were practically unassessed; other forms of wealth were escaping, and the personal property that was obvious to the assessor, things that he could see, was assessed at varying percentages throughout the state, as wide as we found to exist in the matter of real estate.

We found that the great mineral wealth in northern Minnesota—a tremendous deposit of iron ore—was being assessed far below the average of property throughout the state. To speak concretely, we found that the iron properties of northern Minnesota at that time were assessed at approximately seventy million dollars, and we knew, without very extended investigation, that that was far below the average of the assessment of other property throughout the state.

We then made an exhaustive investigation of the railroad taxes of the state, and assuming that railroad property should bear its fair share of taxes upon a parity with other property throughout the state, we discovered that it also was not paying the same amount of tax that was imposed upon other properties.

We found the same condition to be true in regard to sleeping-car companies, express companies, and we found that what is known as the corporate excess increment—I mean by that the value that obtains in a corporation over and above the tangible things that it owns, its real and personal property—was not assessed at all, or if it was

assessed, under the very imperfect and inadequate laws of the state, it was probably illegally assessed.

Now those are a few of the conditions that we found in Minnesota after a few months of investigation, and to which we addressed ourselves in an effort to improve them as much as we could.

Finding the Root of the Evil

When the Commission was created we had a feeling that probably about seventy five per cent of our troubles were due to defective tax laws in Minnesota, and that possibly about twenty-five per cent were due to ineffective administration. But ten years of experience and study of this rather intricate question have convinced me that our difficulty then, and our difficulty now, is probably about ten per cent defective tax laws and about ninety per cent of mal-administration, if I may speak of it in that form, of indifferent administration, of administration by people who are indifferent to or careless of the needs of the communities that they serve. We made up our minds that the place to get the most effective results was at the tap-root of the whole subject—the local assessor, and if we were ever to have better conditions in Minnesota they must come about through a better class of assessors, or, more properly speaking, by better understanding on the part of the assessors of the very important duty they have to perform.

Acting upon that conclusion, the commission started out a few years ago, as soon as it could, as soon as it got the laws of the state in shape so that it could go out and ask men to enforce them—the commission has gone about over the state holding meetings

of assessors in the various counties of the state. Every year, during the months of March and April, we meet with the assessors all over Minnesota, spend a day with them, discuss with them their difficult problems, try to impress upon them the necessity of following the law as they find it, strictly; show them what it means to make a poor assessment, demonstrate to them as clearly as we can that poor assessments usually favor the rich and not the poor or the average citizen in the community. When we first went out to hold these meetings of the assessors in Minnesota, they rather looked at us askance; they seemed to have, as a rule, an attitude of mind that was about like this: "You fellows cannot teach us anything; we have been on the job a long time, and there isn't anything we can learn from you."

Now that was a natural thing. Some of us were green enough and some of the assessors had had long experience in that work. So that the first year we were out among them and labored among them we did not get a very good response. But I want to say to you that as the years have gone on, as we have met with these assessors year after year, every succeeding year has found them more willing to co-operate with us, more anxious to learn how to perform their duties, and the results have been most gratifying indeed.

The Assessor's Importance

Now, unfortunately, it is true that many communities in the state do not appreciate the very great importance that exists in the office of an assessor. They seem to think that it is a job that can be passed out to any pensioner in the community, if he needs a lit-

tle money, and frequently the job of assessing property—one of the most difficult of official acts that I know anything about—is turned over to some man simply because he needs the job.

Now I feel that gradually communities are getting away from that attitude. I am not standing here indicting the assessors of Minnesota, because I want to say to you, gentlemen, that at least two-thirds of them are men of more than average intelligence, two-thirds of them are men fully capable of doing the work that they were elected to do if they only have half-way decent support of the community in which they live; the other third could be easily improved upon, and I make this suggestion because you gentlemen are in shape to appreciate the truth of it, and to urge upon you the need of seeing to it in your communities that you get the very best man that can be had for the job, to perform the work of assessor in your community.

This year, as a result of these labors with assessors after going carefully through the returns from the eighty-six counties in Minnesota, we found twenty-four counties with returns so nearly in accordance with the data that we have on file in our office in regard to the value of property in those counties that we did not find it necessary to change them a particle. Now that was nearly one-third of the counties in Minnesota this year—with the return so accurate and the assessment as equalized by the County Board so well performed that it was not necessary for us to make any change.

Now I do not believe that in those communities absolute justice has been meted out to every tax-payer, but it is

a gratifying thing, when we compare the returns that come in to us now with the returns that came into our office ten years ago to see the very decided improvement that has taken place in the matter of assessing property in Minnesota.

The Boards, as a rule, have been prompt and eager to co-operate with the Tax Commission in this work of getting a full and fair assessment of the property in the state. We have had less difficulty in interesting them than in interesting other tax officials in the state.

I now come, gentlemen, to your end of the game. Many of the boards of review in Minnesota do most excellent work. Wherever a village board takes hold of the job with a determination to see to it that every tax-payer in that community has his property assessed as the law provides, they usually come pretty near delivering the goods. But, unfortunately, of all the boards in Minnesota that have to do with taxation, the local boards of review in the state have been the slowest to respond to our urgent requests to help in this work.

Every year we have sent to the boards a letter imploring them, urging them, almost insisting, that they perform this duty which the laws of the state enjoin upon them; but I believe that I am not overstating it when I say that in probably two-thirds of the assessment districts in Minnesota the only thing that is done by the local board is to gather around the table at the proper time and at the appointed place and wait for some disgruntled tax-payer to come in and file a complaint, and if he does come in they usually comply with it, and that is the

sum total of the work done by nearly two-thirds of the local boards of review in Minnesota.

Now I want to say to you, gentlemen, that if we are to have a square deal among the tax-payers of the varying districts in Minnesota, no one of all the people who come in touch with taxation can do more to bring about that square deal than the local board of review. I want to say to you that at all of the assessor's meetings I have attended I have requested the local assessor, when he finished his work and appeared before the local board of review, to be able to put his book down upon the table and honestly to say to that board of review: "This represents the very best that I could do in this community; I have tried to get every man down for all that he had, but I realize that I am human and that I may make mistakes, and I want you gentlemen to take this book and examine it from A to Z with a fine tooth comb and correct it in every particular in which you find I have made a mistake. If you know of anybody that I have left off, let us get him down; if you know of anybody in the community that has not been assessed high enough, let us get him up where he belongs; and if perchance you find some that you think I have assessed to high, why, you ought to be equally eager to see that that kind of a mistake is corrected."

Now I speak of this phase of the work because it comes right home to you. I sometimes have doubted, when we have labored in St. Paul for a couple of months, and sometimes two or three months, upon this work of equalization, and have made a change here and a change there, have increased a

county here and a county there, or a class of property here and a class of property there—I have sometimes doubted when we closed the books and the whole thing was summed up whether we really had greatly improved the situation as between man and man in Minnesota. But I am sure of one thing, that if you gentlemen will take this job seriously in your communities, if you are members of the local board of review, you can bring about a situation of fairness in your community, if it has not existed before, which would simply be astonishing, if not in a sense alarming.

The Commission's Job

There were some things, however, that the Tax Commission could do perhaps better than the local officials. Starting in, for instance, with the mine situation in northern Minnesota, we found that local assessors were utterly and entirely without any adequate information to make a correct assessment against property of that character. Here was great wealth hidden by the overburden. The only people who knew anything about it were the mine men up there, and they would tell the local assessor mighty little about what was hidden in the ground. One of the first things that we did was to call upon all of the mining companies in Minnesota to make a report of just exactly what they had in the way of mineral property. We required them to file with us blueprints showing the drillings that they had made in the earth to determine the number of tons of ore that they had, and as a result of those labors, carried on through several years, we have gradually increased the value of the mineral properties in Minnesota from about \$70,-

000,000 of full and true value as it was claimed in 1907, to about \$580,000,000 full and true value.

The Gross Earning's Taxes

We prepared in the way of a report a very exhaustive argument in favor of increasing the railroad taxes from four per cent to five or six per cent. The figures that we presented to the legislature would have justified them in carrying that tax to six per cent, but they finally hit on five per cent, and it was ratified by the people of the state at the polls, and the assessment against railroad properties was increased, we feel by our efforts, from four per cent of their gross earnings to five per cent. Now, as an academic proposition, there may be some question whether anything is made by increasing railroad taxes. I apprehend that most of that comes out of the people, in the end—like a great many other of our taxes. But we have to have revenue, and this seems to be an easy source of getting it; and if railroad properties were to be taxed upon the same basis that a farm is taxed, then five or six per cent was not beyond the limit.

We made a similar investigation in regard to sleeping-car companies. Now, local assessors could not look into those matters at all. As a result of our efforts, the taxes against such companies have been practically doubled in the last ten years.

We found it comparatively easy, gentlemen, to get legislative action upon a proposition to increase the taxes of a railroad company, or a sleeping-car company, or an express company, or if it had been necessary we could have got the legislature to have done the same thing to the mining companies that we did, but when you come to

ask them to increase a class of property that ramifies into every corner of the state, such as telephone companies, where there are numerous people interested in every community, we find it an altogether different thing. We presented a year ago conclusive evidence to the legislature—I say conclusive and I speak, I think, advisedly—that the telephone taxes of the state, if telephone companies were to be taxed upon a basis with other property throughout the state, ought at least to have been increased to five per cent, certainly to four per cent. It is now three per cent. But the legislature for some reason did not respond to that request as to telephone companies. Although every other type of property in Minnesota has been bearing an increasing burden of taxation for the past twenty years, telephone companies have been allowed to go scot-free of any increase, and they are still carrying only three per cent.

Now in all justice and in all fairness to other forms of property, I feel

Hibbing has been notified by the Great Northern Power Company that it cannot renew its contract with the village to furnish electricity at the present rate of one and three fourths cents per kilowatt hour.

Duluth has purchased six hundred fifty tons of liquid asphalt from the Standard Oil Company, at \$19.47 per ton in tank cars, \$21.47 per ton delivered in drums.

Crosby has voted a bond issue of one hundred thirty-six thousand dollars for the purpose of purchasing and extending the water plant.

that there should be an increase, but I say it is very difficult, it is a much more difficult thing to persuade a legislature to make an increase in property of that kind, where the members have constituents that are interested directly in keeping the tax down, than it is to increase the taxes of a railroad company or a sleeping-car company.

Conclusion

And now, gentlemen, I feel that I have really taken up more of your time than I intended to, and there are others, I see, on the program to follow me. I want, in conclusion, to ask you gentlemen to take my suggestions seriously, and when next year, if your community is far-sighted enough to elect you to the office you now hold, that you will pay as much attention to seeing that the tax burden in your community is spread out among the tax-payers fairly as you do to seeing that the money that you raise by taxation is spent wisely and economically. (Applause.)

Members of the League heard with deep regret of the burning of the Red Wing Auditorium, where the 1916 convention was held. The fire, which occurred February 22, swept the building, damaging it to the extent of fully fifty thousand dollars.

The women's club room of the Eveleth library has been turned over to the Red Cross as a work room for the surgical dressing department.

Duluth has awarded a contract for the codification of all the city ordinances.

Municipal Wood Yards

By C. R. Tillotson,
Federal Forest Examiner

The war gardens of last summer tilled by men, women, and children many of whom had never before performed such labor, did much to make untold numbers of families and communities independent of other sources of vegetable supplies. Municipal authorities very properly took a leading and directing interest in the projects by soliciting the permission for use of vacant grounds, by offering prizes for the best gardens, etc.

If action by municipal authorities has helped solve the food question, why can it not help on others, particularly the fuel situation? It can and has done so. Fuel is nearly as important as food in the existence of a people. Without it, many foods could not be made profitable or nutritious; great suffering, sickness, and loss of life would result from winter's cold; many of the household tasks could not be performed; and manufacturing would very largely cease. Coal is of course the most widely used fuel. Its compactness, ease of handling, and efficiency account for this. People have become divorced from the use of the more bulky wood. They have acquired the coal habit and think they must have it. Still it is said that when coal was first brought by boat to Massachusetts the people would have none of the "black, dirty stuff."

To quote from a recent pamphlet, "Wood Fuel and Democracy," issued by the office of the State Fuel Administrator: "Wood was the original fuel and it is still good. At one time our fathers nearly all burned wood. Some

of them never knew the use of coal. Gradually coal has crept into the cities; the bulkier and less convenient wood has disappeared. Our stoves and all our habits of life have changed to march with this new fuel. From the cities it spread to the smaller towns, from the towns to the country, till many a farmer watches the timber in his woodlot rot while his teams are hauling coal from town. The change has been gradual, almost imperceptible, certainly unnoticed. Then comes the sudden shortage of coal due to the war, and everywhere the cry goes up, 'Give us coal, or we freeze!' Not only in the cities, where the wood has long since ceased to come and can now no longer be obtained, but even in the little country village, where the falling of dead timber threatens the lives of the citizens, they must have coal. They could not think of burning wood. So strong and binding have these habits grown."

The virtual coal famine in a number of states last winter came as a considerable shock to most people. No one supposed that such a thing could ever happen in a country with coal supplies sufficient to last several hundred years. They could not foresee the demands of shipping engaged in war-time activities and of war industries upon coal supplies. Neither could they foretell that railroads would be so burdened with moving other freight and so hampered by an unusually severe winter that they would be unable to move coal as rapidly as it was demanded.

Many people did break their coal-

burning habit and revert to the use of wood. Many others would have been glad to do so could they have obtained it. The inconvenience proved to be not so great as anticipated. By a slight adjustment of grates in coal-burning furnaces, it was found that wood made a very good fuel and would hold fire over night. Others who were equipped with hard coal base burners found that they could substitute a \$3 to \$5 air-tight wood stove and heat three or four rooms with it, even in the coldest weather. This stove would also hold a fire over night.

The glow, the crackle, and the pleasant odor of the wood fire, were a remarkable discovery for some. The time will return when all who wish coal may have it, but there will be many who having used wood will be loath to give it up entirely.

There are in nearly every community a number of people who are financially unable to fill their coal bins during the summer. They can buy their coal in small quantities only, often in lots of not more than several bushels, during the winter when the actual necessity exists. In case of a coal shortage, they are sure to suffer and to become a charge upon the municipality or upon charitable organizations. Improvident people who simply fail to store coal, and others with insufficient storage space, suffer also. No self-respecting municipality cares to see suffering within its boundaries and will generally take steps to alleviate or prevent it.

Clubs have been formed to go out and cut wood; wood-cutting bees have been held in which every one could join; farmers were urged to bring in more wood; and lastly, municipal au-

thorities have established wood yards.

When the fuel situation was becoming acute in North Carolina last fall, the Fuel Administrator of the state issued a timely circular urging cities and towns, as a war measure, to buy wood by wholesale in large quantities and furnish it to consumers at cost. In support of his appeal, he said in part: "There is no time to be lost. Let no time be wasted on the constitutionality or legality of this proposition. We have taken legal advice to the effect that this work can properly be done by municipalities, and we are satisfied that no court is likely to interfere with the program of emergency relief which will not only help win the war, but which will prevent suffering this winter on the part of those who can ill afford to buy wood at any price, and supply the public with a necessity at prices that will not be burdensome." As a result of his efforts, numerous municipalities in North Carolina acted, wood was supplied to the people at cost, suffering was prevented and coal cars were released for hauling other freight. One report in midwinter from Asheville, North Carolina, a city of twenty-five thousand population, stated that it had been practically without coal for several days, and that the municipal wood yard was working overtime. There are records of similar yards in the states of Connecticut, Georgia, Maryland, Massachusetts, South Carolina, Louisiana, Ohio, and Minnesota. Gasoline power outfits have been used in sawing wood, and municipal labor, teams, and trucks have been utilized to handle it. In some cases convicts were set at the work. The success which has attended the establishment of these wood yards is assurance enough that

the idea is neither visionary nor impractical. The municipal yards have made good during a crisis.

There are probably many Minnesota towns which could secure wood easily and reasonably that have never considered this subject. They have for the most part always burned coal and have not beheld the spectre of a coal famine. A coal shortage seems probable again next winter. Miners are being taken for the army. The railroad transportation problems continue to be acute. More and more coal will be needed for war purposes. In the event of such a shortage, Minnesota may be called upon to supply herself with her own fuel so far as possible. This will mean the burning of wood with which the state is so abundantly blessed. All Minnesota towns wish to do everything in their power to help win the war. If forgoing coal and burning wood is to be their part, that service will be performed cheerfully. If each Minnesota town of this type were to establish a municipal wood yard, it would relieve both the car and coal situation, as well as provided against possible suffering next winter.

It is well for any such town to be forehanded in the matter. The time to plan for a municipal wood yard and to contract for the wood is now. A municipal wood yard can be built up even during the summer in some communi-

ties. The earlier the wood is cut, the more thoroughly is it seasoned and the better is its condition for burning the following winter.

One New England town has decided to purchase one hundred thousand cords of wood as a fuel reserve, and has borrowed thirty thousand dollars from the banks to finance the operation. Canada is also getting into the game. On January 25, 1918, the Ottawa Board of Trade adopted a resolution which suggested to the Council of the city that in anticipation of a more serious coal situation in the winter of 1918-19 than in 1917-18, immediate steps be taken by the Council to secure this winter as large a supply of cordwood as possible for the use of its citizens during the winter 1918-19; this action to be taken even if it should ultimately result in some financial loss to the city in the venture.

The last clause of the Ottawa Board of Trade resolution is one of the best of reasons why the wood yard during this unsettled period should be a municipal affair. Private capital is ordinarily unwilling to assume the risk involved. The municipality can afford to take it and consider it virtually as an insurance against disaster. Is it not the duty of the municipality to itself to take this precaution? Should it not also do so to assist in the war?

The Village of Nashwauk recently lost its water plant power house by fire, and has retimbered the shaft of the deep well and installed a new electric pump of large capacity.

Brainerd has a new charter commission.

A short circuit in the station of the Minnesota Gas and Electric Company at Albert Lea deprived that city of electric service at three o'clock Monday morning, February 4. The lack of "juice" closed up such industries as were permitted to run under the heatless Monday rule.

Report of Committee on Municipal Accounting*

Of the many perplexing problems before our public servants today, the proposition of municipal accounting of funds and moneys is away up in the front ranks.

But there is such an evident wide difference and so many opinions as to just what can be accomplished along the line of introducing in our state actual uniform accounting in municipal life, that there is indeed work ahead for this league if a committee on municipal accounting is to be maintained and desired results attained.

There was such an apparent effort at Red Wing last year to pass this question to some future gathering that as a member of this committee on municipal accounting I am placed face to face, evidently, with one of the league's major problems, which, probably in the near or a distant future, will be taken up and placed in the hands of some of Minnesota's experts on financial problems pertaining specifically to municipal activities, and vigorously handled to an ultimate conclusion that will no doubt determine the merits of the question.

The title, "Municipal Accounting," with which this committee is labeled, is one alone that makes it uncertain as to just where to start breaking through and tackling the stubborn elements of the many-sided common enemy. Public accounting, officially speaking, calls for the attention of certified and public accountants. As I see it, municipal accounting and public accounting are closely allied titles and

yet there is a distinct difference between the two. The first appears to be the cause and effect and the second the temporary cure. However, if the former was properly handled and nourished the latter would be lacking of many patients.

This paper will be based, then, on the thoughts upper-most in the minds of the delegates at Red Wing last year, where there were some of the essential points on this question made so clear that they will undoubtedly make interesting thought and study for the future. The following, taken from the annual reports, are a few of the ideas presented. They will tend to define the two municipal accounting systems as they appeared then, and they appear the same at this time:

That municipal bookkeeping and accounting is in a very chaotic condition and in great need of some uniformity.

That uniform accounting by municipal officials is actually a law in our beloved state.

That uniform accounting cannot be thoroughly inaugurated nor uniform reporting demanded by the state examiner on account of lack of funds.

That villages which have submitted their annual reports to the state examiner have received no benefits as to suggestions or analysis.

That on account of the fact that about fifteen per cent of the cities and villages of the state commence their fiscal year at wide variances with the calendar year, uniform municipal accounting could not very successfully reap uniform results until all cities have their charters so revised that municipalities open and close their

*Presented to the Fifth Annual Convention of the League of Minnesota Municipalities, Oct. 18, 1917.

books at a given time, specifically for the purpose of submitting by the state examiner the proper classification sheets for compilation of municipal financial comparisons and data.

That it is not practicable to apply a uniform system in any of the established lines of commercial business enterprises.

That the smaller towns and cities cannot afford to hire the services of certified public accountants as the larger cities do and when they are so employed suggestions are always made for changes of accounting systems along the lines of similar towns and cities.

After considering all these points which were brought out at this meeting what can we make of the municipal accounting problem?

Has there been and is there now a noticeable change for the better in municipally kept books and records, accounting for expenditures, funds and of the complete tax budget so that the reports, when tabulated, formulated, and submitted by the accounting officers, appear plain to the average tax payer?

My statement to the convention last year clearly placed me in favor of uniform accounting in municipal activities. To this date I have not changed my opinion on the subject.

No task that has a favorable public beneficial result for the better is too large to tackle. Uniform accounting by township clerks, village clerks or recorders, city clerks or recorders, city comptrollers or any municipal accounting officer can be a realization of the state will do its duty in providing sufficient funds for the state examiner to

use in establishing a department for the purpose of annually submitting classification sheets to all municipalities in this state for the purpose of analysis along the following lines: Population; valuation; funds as provided by the state and city charters and inaugurated by the legislative bodies, such as general, park, sewer, library, police, fire, water and light, interest and any other funds found necessary to be established for the purpose of classification of accounts; amounts expended; and the final determination as to the percentage of per capita which was required for the proper functioning of these various branches of city government. After these classification sheets have been filled out and submitted to the state examiner his corps of assistants could then make up the tabulated returns showing every municipality activity in this state along the foregoing lines and then by his own system could draw the line of comparison as to proportion and valuation which would make very interesting study throughout the state.

The results would be that the greater the uniformity in bookkeeping and municipal accounting throughout the state, would be gradually a movement for the greater good of the state and would then sustain the great efficiency of our state departments which has held the attention of these officials the past three years.

The same comparisons as to receipts of the municipalities could also be made but I take it that the expenditure side of the question is the paramount one.

For the past five years I have been closely watching the progress of the

municipal accounting system of the state of Ohio. To my mind it is now nearly ideal and is nearing perfection after a hard struggle for these results for many years. It is a system which had to be worked out slowly and no doubt Ohio was at one time in an unnecessarily aggravating a condition as to uniform system as are a great many cities and villages of our state at the present time. It shows that uniformity can be accomplished. It cannot fail because it is right. It is only a question as to whether or not the municipalities of this state desire to lend their hand in its adoption.

The personnel in the accounting and clerical offices all over the state is improving. Politics do not play such an important part in the selection of these officials as it did in the former days. The clerks, recorders, and accountants in their official capacities as such are generally losing their privileges to vote with the legislative bodies and they are purely and simply the accountants, held on trust and efficiency and the public is gradually beginning to realize that the accounting branch of its government is fundamentally important.

True, there are good and bad systems which have been installed or allowed to remain inadequate. No two accounting officers attain the final results through the same systems, although they must eventually arrive at the same totals. Some of our city and village accounting officials are continually delving into improved systems for the purpose of applying the simplest and yet the surest way to keep their accounts and make their reports more clearly understood by the aver-

age citizen. Others are at a standstill or going backward because of indifference toward the responsibilities demanded by the public. This condition can be applied to all walks of life and to public life in general.

Going back to municipal accounting. It is nothing new. We have it with us now. It is, has been, and always will be. The world has had the matter of receipts and expenditures for centuries, such as it has been, is and always will be until some of the critics of system our state, by continued talking, agitating, and stirring up this question of uniformity of accounts by municipal officials, finally brings forth some man of the hour who will take one of your future convention meetings by a pleasurable storm by unfolding to its members just the plan so badly needed as a reformation of and the proper accounting of municipal funds.

The formation of this League was the child necessity. This topic is a child of this League. It needs nursing along considerably. If this is not done then the committee should be dissolved. If it is a problem which has value or merit for the public good, then a thorough and exhaustive investigation should be made and a report laid before the League.

This League can reap a glorious and well-earned reward if it will but follow up the municipal, uniform, and public accounting project. If no other results are attained and this league ceases to exist after the realization of such a public benefit, then to my mind this one act of seeing through to actual, thorough, and complete finish the inauguration of a strict uniform accounting system by municipal accounting

officers would be glory sufficient for the founders of this league, a league that is rapidly gaining strength, vigor, and recognition throughout the state.

In conclusion I would strongly recommend to this convention that a committee of two of the state's leading certified or public accountants and the state examiner be appointed for the purpose of making a thorough study and a complete report on the subject of municipal accounting and to be presented at the next or some subsequent convention.

Respectfully submitted,
Albert E. Bickford,
Chairman.

Discussion

President O'Neill: Are there any questions, or is there any discussion of Mr. Bickford's able paper? There is one specific recommendation which, it seems to me, might be acted upon by this meeting at this time, and that is the appointment of a committee, consisting of the public examiner and two certified accountants, to devise a system of public accounting applicable to the municipalities of this state. The question is whether the organization desires to follow out that recommendation, to authorize the executive committee, or this organization itself, to take action that would result in the appointment of a committee and the compilation of such a report. As you are well aware, this question of standardizing, or the establishment of uniform public accounting, has been before every session of the League, and I do not think we have ever got anywhere, have we, Mr. Bickford?

Mr. Bickford: No.

President O'Neill: It is just over and

over again. It is a matter that I am not conversant with myself, and it may be so prolix and mystifying that there isn't any opportunity of getting anywhere with it, and probably it is just as well to find that out. If there is not any such thing as uniform public accounting as applied to municipalities, why, we had better ascertain that and drop the subject until the man of the future, as Mr. Bickford has suggested, comes forward with a thing, we might say spontaneously, until sometime when it bursts out of a clear sky.

Mr. Hanson: (Mayor of Barnesville.) Did Mr. Bickford say whether we can get two certified accountants, that would serve without pay, to ascertain whether this is a myth or a real thing, or if not, what would be the probable cost that would follow this motion if we gave it into the hands of the executive committee to go ahead with it?

President O'Neill: You may answer that, Mr. Bickford.

Mr. Bickford: In reply to that I would state that as citizens of these great municipalities of Minnesota, that any of the public accountants of the state who are fortunate enough to be appointed on committees should act diligently in the matter and work without compensation along with the state examiner for that purpose. I might state further, incidentally, that if two certified or public accountants, certified accountants in preference, would work with the state examiner that his labor in the future for their different offices financially may lead them to do just that one thing.

Mr. Nichol森: To get the matter before the house—and it is a matter

that should be attended to now—I move you that the incoming president appoint a special committee, consisting of three or more, and as many as may be, certified public accountants, for the purpose of making a special report at the next meeting of this League in reference to this proposition of municipal accounting.

The motion was seconded.

President O’Niell: As I understand it the substance of Mr. NicholSEN’s motion is that the incoming president appoint a special committee, substantially along lines suggested by the report, to go into this question and make a report at the next meeting of the League. Is that correct, Mr. NicholSEN?

Mr. NicholSEN: Yes.

PRESIDENT O’NEILL: Is there any discussion on that motion? All in favor of the motion will make manifest by saying “aye”; contrary minded “no.” The “ayes” prevail and the motion is carried. The report as amend-

ed by the motion will be received and adopted and made part of the records of the meeting.

Mr. Milton Wend (Washington, D. C.): May I make a suggestion in regard to one point that was just brought out, in connection with the difficulty of having city reports? Fiscal years differ, come in at different times. The process of changing the charters of various cities will be a slow one at best, so as to have uniform fiscal years. One solution which has been suggested in the past is to have monthly balances taken in each city’s financial department, and then arbitrarily decide on a fiscal year for the state, and having it come at the first of the month you can take the monthly balance of each city for that particular date and it will give you the equivalent of the fiscal year of the city. In other words, the fiscal year of the city will not agree with the fiscal year of the state in the report, but the report which the city sends in, the monthly balance, will be the equivalent to this.

The City of Bemidji has won its case in court against the proposed establishment of a monthly minimum charge by the Minnesota Electric Light and Power Company. Judge C. W. Stanton handed down a decision January 31, issuing a temporary injunction restraining the contemplated action on the part of the company.

Kalamazoo, Michigan, has adopted a new charter, embodying the city manager plan for administration and proportional representation in the election of the council.

Each year Buenos Aires, Argentina, exempts from taxation the most beautiful building erected during the preceding twelve months.

Hibbing is constructing a municipal gas plant of fifty thousand cubic feet daily capacity.

Heron Lake is newly added to the list of municipalities having electric lights.

Buhl’s new library was opened March 8.

Report of the Committee on Judicial Decisions*

By S. C. Scott
Village Attorney, Hibbing

The essential element of the judicial decision is what experience has taught and sound judgment dictated and when decision defines usages as applied law it is proper that we should emphasize the consideration of that decision. And year after year we see our court of last resort repeating the same principle and applying the law to the same facts and this I think is more true of municipal law than in any other division of the law and if the League of Municipalities of this state had no other object than to meet once a year to consider judicial decisions affecting municipalities, its existence would be sufficiently justified and this committee's report would be brief if it eliminated every decision which was a duplication of last year's decision.

A reading of the splendid report of your committee prepared by Mr. Peterson of Albert Lea, as Chairman, which is reported in the August number of *Minnesota Municipalities* is recommended as a prologue to this report.

I. Building Restrictions

State Ex. Rel. Samuel Lachtman vs. James G. Houghton. 134 M. Page 226.

The prohibiting by ordinance the owners of property from erecting a store building upon land within the residential district can not be sustained as a legitimate exercise of the police power and is an invasion of the rights secured to him by the Constitution. The use which the owner may make of

his property is subject to any reasonable restriction and regulation imposed by the legislative power which tends to promote the public welfare or to secure to others the rightful use and enjoyment of their own property but only such use of property as may produce injurious consequences or infringe the lawful rights of others can be prohibited without violating the constitutional provision that the owner shall not be deprived of his property without due process of law or without compensation first paid or secured.

State vs. G. N. Ry. Co. in Re New Depot at Ada. 159 N. W. Page 1089.

When the erection of a new depot is ordered by the Railroad and Warehouse Commission such new depot must comply with the requirements of the village ordinances of the village which such depot is in, to be constructed, and if in the fire limits it must comply with the fire ordinances of the village.

II. Charter Provisions

James D. Park vs. City of Duluth. 134 M. Page 296.

This is an action to restrain the city of Duluth from collecting a wheelage tax. Under the home rule charter of the city of Duluth is a provision for the power to impose a vehicle tax. In this case it was held this legislation is not forbidden by the General Statutes of 1913, Section 2637, which regulates the speed and operation of motor vehicles and forbids any city to pass an ordinance to regulate the speed though it holds that such wheel tax is not void because all licenses expire at the

*Presented by the Fifth Annual Convention of the League of Minnesota Municipalities, Oct. 18, 1917.

same time. Nor is it void as to resident owners of vehicles habitually used on the city streets because it fixes a minimum of one-quarter of the annual tax for use for a portion of the year. The adoption of a home rule charter by the people of a city gives authority to its city officers to legislate and the city may impose such tax for such purposes upon vehicles maintained in the city.

Aad Temple Bldg. Association vs. City of Duluth, et al. 135 M. Page 221.

This is an action on a suspension of an ordinance or a referendum under the charter of the city of Duluth. The charter of the city of Duluth provides that the petition for referendum may be contained in several parts or papers each of which may be verified by one of the electors who signed the same. It was held that a section of the petition verified by a person who did not sign such section is of no validity whatever; the provision of the charter must be strictly complied with in suspending the going into effect of the ordinance by referendum.

State Ex. Rel. Alva R. Hunt vs. City of Montivedeo. 135 M. Page 436.

In this case it is held that the provision of the charter providing for an appeal from the assessment of damages and benefits does not afford the aggrieved party the right upon such appeal, to be heard, to question the regularity of the proceedings, the jurisdiction of the municipal council or the validity of the provisions of the charter authorizing the proceedings, and that the proper proceedings to raise the issue of jurisdiction was by certiorari.

III. Injunctions

Smith vs. City of St. Paul. 162 N. W.

Page 1062.

It was held that the defendant may at its discretion issue a temporary injunction restraining the city from enforcing an ordinance requiring the removal of an obstruction declared to be a nuisance under the city ordinance consisting of a passageway over an alley 18 feet wide connecting the building on the opposite side of the alley until a decision can be obtained as to the question of whether the nuisance alleged to exist is in fact a nuisance to be properly abated by the city.

Great Northern Ry. Co. vs. City of Minneapolis. 161 N. W. Page 231.

In October, 1913, the city instituted proceedings by condemnation to acquire land to open up 7th Street north from Hennepin Avenue to Plymouth Avenue. In the proceedings to condemn private property for the purpose of widening the street the plat and survey filed showed the character, course and extent of improvements and property to be taken or interfered with. In giving the names of the owner of each parcel so far as the engineer "can readily ascertain the same," as required by the statute, the plat named H. K. Feye as the owner of a tract or part of which was proposed to be taken. Plaintiff was the owner of record of 4/5 of the interest in this tract but it was not named as such owner on the plat or in the published notices given nor was any award of damages made to it for the land so taken. The award made and confirmed to Feye in this action. To enjoin defendant from taking possession of and erecting structures for street purposes on the strip taken, it is held; That the provision of the

statute as to the notice to the owners of property proposed to be taken or interfered with were complied with. The omission to name plaintiff on the plat or in the notice as the owner of the tract in question was not a fatal departure from the requirement that the names of the owners be stated so far as they "can readily be ascertained." The provisions of the statute as to the notice to the owners of property proposed to be taken or interfered with constitute due process of law. It is not necessary that the statute require the names of the owners to be stated on the plat or in the notice. The fact that no compensation in excess of benefits to the land not taken was awarded for property of the plaintiff taken in the proceedings is not sufficient to show there was not due process of law in that plaintiff was deprived of his property without just compensation or that there was a violation of the constitutional provision that private property should not be taken for public use without just compensation. The records in the condemnation proceedings show sufficiently that the plaintiff's interest in the strip was condemned as well as the interest of Feye. The proceedings were under the so-called Ellwell law, General Statutes 1913, Sec. 1566-1572. If the compensation, supposing it to have been more than nominal, had been awarded to the wrong person, the rightful owner had his remedy. This does not strike us as showing that plaintiff's interest was not taken.

IV. Intoxicating Liquor

State Ex Rel Isidor Zien vs. City of Duluth et al. 134 M. 355.

Holds that mandamus will not lie to control or restrict the discretion given

to city councils with respect to the issuance of a liquor license. That the power to prohibit the sale of intoxicating liquor within its limits may be given to a city by its charter or may impose further restrictions and more stringent laws regulating the liquor traffic than is authorized by the laws of the state and that it is not contrary to public policy to give power to prohibit such traffic to a city of the first class and that the constitutional requirement that the charter shall provide a legislative body for the city is not violated by conferring the power of the initiative and referendum upon electors of the city after establishing such legislative body. The ordinance is valid so far as it prohibits the sale of intoxicating liquors.

V. Streets

George A. Barrett vs. Village of Princeton. 135 M. Page 56.

This is an action for wrongful death of a boy and his companions each about seven years of age, caused by the caving in of a ditch two and one-half feet wide by 7 feet deep, which was being constructed by the village of Princeton. The rule followed in the decision of this case was to the effect that children have a right to use the streets for the purposes of play and are not to be considered trespassers, but held that negligence was not shown on the part of the village and the case was properly dismissed. No recovery could be had under the circumstances of the case.

William H. Peterson vs. City of Jordan. 135 M. Page 384.

This is an action for wrongful death against a municipality of the 4th class, raising the question of whether a village or city is liable for damages which

may result for failure to keep in repair roads outside of the city or village on which the city or village has spent money but not within its corporate limits. The question being squarely raised the court held that the city was not liable for injuries which were received outside of its corporate limits notwithstanding the fact that such city or village may have spent money upon such roads to keep them in repair.

Ramson vs. City of Duluth. 133 M. Page 134.

Whether the defendant is negligent in maintaining a man-hole on the street crossing which projected above the level of the street crossing and whether plaintiff's injuries were caused by slipping on the sloping side of such man-hole is a question for the jury.

Brown vs. City of Minneapolis. 161 N. W. Page 503.

This was an action to recover damages from the city on account of injuries received by a child from a lantern which was placed by employees of the city to warn travellers at night of an excavation in the street. The lantern was set on a plank which in turn was placed on a pile of sand. It is held that a common kerosene lantern is not such an attraction to a child or such an inherent danger as to bring the case within the "turn table" cases. That there was no negligence in placing the lantern as it was placed in this case. The court said in this case the defendant was in duty bound to light these trenches with red lights at night. It set the lights in about the usual way. It can not be said that it was negligence to set them when the men quit work instead of sending some one back at dark for that purpose. A lantern in some attraction for a child and involves some

danger but we can not regard a common lantern as being such an attraction or inherent danger as to bring the case within the rule of the class of cases known as "turntable cases."

Killeen vs. City of St. Cloud. 161 N. W. Page 260.

A school building was about to be erected on 7th Street North, in the city of St. Cloud under permission from the city Commissioners having charge of the streets. A quantity of building sand had been deposited in the street adjacent to the site of the proposed building; plaintiff driving a horse and buggy after dark ran into the pile of sand and his buggy was turned over and he was thrown out and injured. He brought suit for damages and recovered a verdict against the city. In this case it was held that the duty of those who placed the sand in the street to guard the same by red lights or proper warning signals during the hours of darkness. But this fact does not absolve the city from the duty to exercise reasonable care to keep its streets safe for public use. In this case the city knew or ought to have known that those who placed the material in the street failed to properly guard it and the injury occurred because such obstruction was unguarded for several succeeding nights. Whether the city was chargeable with notice that the obstruction was unguarded was a question for the jury.

Miller vs. City of Duluth. 159 N. W. Page 960.

The city is not obliged to grade or improve all platted streets within its limits. If however, an ungraded street is frequented by travel and the city have notice of the fact it must keep such street in reasonably safe condition

for travel. If it improves and keeps in good condition a roadway of sufficient width for ordinary demands of travel that is sufficient. In this case it was held that it is negligent for the city to permit an excavation 4 feet deep in the middle of a travelled road with the bank above the excavation only 16 feet wide without guard or railing and without lights at night, where the course of travel and the surrounding conditions are in the nature of an invitation to pass along the top of the bank.

VI. Public Policy.

Hjelm vs. City of St. Cloud. 159 N. W. Page 833.

A person, not a pauper, conveying land to a city upon the city's promising to furnish him support during his natural life and burial upon his death and which the city has fully performed and the evidence sustains the finding that the deceased had mental capacity to contract it is not important whether the obligation assumed could have been forced against the city so long as it remained executory. The city has power to acquire land such as this for municipal purposes. The contract having been fully executed on both sides and the grantor having received his full consideration for the grant his heirs can not recall the title to the land conveyed.

VII. Public Buildings

162 N. W. Page 1073

Anderson vs. City of Montevideo. 162 N. W. Page 1073.

When a municipal corporation in good faith erected a building for municipal purposes and included therein an auditorium which is no longer needed, for public use, and the leasing thereof will lighten the burden of taxation of

the municipality, it has the legal right to lease the same for private use.

VIII. Local Assessments.

159 N. W. Page 962.

Magnolia Street Sewer, City of St. Paul vs. Oakland Cemetary Association. 159 N. W. Page 962.

The city may exempt public cemetery associations from assessments for local improvements. There is nothing in the constitution forbidding either the assessment of such property or its exemption from assessment.

IX. Vacating Plats

Maletta vs. Oliver Iron Mining Co. 135 M. Page 175.

This is an action for the recovery of damages for obstructing access to plaintiff's property situated on the platted village street. It is held that under the evidence as a matter of law sustained injury in vacating a portion of the plat not including plaintiff's property would not bar recovery for damages.

X. Wages

William Schlawr vs. City of St. Paul. 132 M. Page 238.

This case is an action for wages by a police officer of the City of St. Paul. The police officer was discharged by the police commissioners and in attempting to discharge such police officer the charter of the city of St. Paul was not complied with, with respect to the provision relating to civil service, in its failure to state the reasons for such discharge. When discharging an employee of a city under civil service rules such civil service rules must be strictly complied with. Because of the failure of the commission to comply with such rules the discharge did not become effective and the police officer was able to recover his salary though

no actual service was rendered to the city for several weeks after such attempted discharge.

XI. Notice of Injury.

Elsie Webber vs. City of Minneapolis. 132 M. Page 170.

In this case a notice was served upon the city alleging injuries to have been suffered as a consequence of the diversion of the natural flow of surface water, the defense being that the notice was not sufficiently specific. It was in fact not as particular in its detailed statement as the complaint, but the court held that the preliminary notice to the city was not a material departure from the complaint and a recovery was had. Notices of this kind are en-

titled to a fair and reasonable construction.

Olke Johnson vs. City of Duluth. 133 M. Page 405.

The provision of chapter 391 Laws of 1913, relating to actions against municipalities for damages and providing for service of written notice in such cases was intended to prescribe the only rule which should govern as to the subject matter of the action. The provisions of this law do not apply to causes of action for damages to real property growing out of re-establishment of a grade line of the street and the filling up of some new grade line. In such case no written notice to the city is required.

Municipal Economies in War Time

Frederic Bass

II Sewers and Sewerage

The advice of the State Board of Health should be obtained in regard to the place of disposal of sewage and the kind of treatment necessary, if any. This Board has in its employ a corps of experts who have for some years been observing the water and sewer systems of the cities and villages of the state. These experts have by very thorough observation and investigation discovered certain principles governing the operation of water works and sewer systems which are very valuable to communities and their designing and constructing engineers.

A sewer system, for instance, is a simple device as compared with many of the complicated mechanisms of the day. It consists of a set of pipes which are so connected as continuously to

run down hill from the house connection to its outlet. Its very simplicity has led, in many instances, to the assumption that its design and construction does not require care and study and in such cases there have been needless expenditures of public funds. A comprehensive design for the entire community should be obtained even though only a part is to be built at the beginning, then in the future additions will fit into the preconceived plan with a minimum expense.

Sewer systems may be designed either to carry the domestic wastes or on the other hand to carry away storm-water. In the first case the pipes are comparatively small, a six inch or eight inch pipe being sufficient, if carefully laid under competent inspection care to take a population of about one thou-

sand persons. A storm sewer, on the other hand, should never be less than twelve inches or fifteen in diameter and it may be as large as thirty-six or forty-eight inches in diameter in a village of fifteen hundred persons; it is very expensive.

Some villages attempt to compromise by using the same pipe for domestic sewage and storm water. This may be correct if the storm sewer is necessary and if the village does not try to compromise on the size, making it too small for a storm sewer and unnecessarily large for a domestic or sanitary sewer. Where it is necessary to treat sewerage before discharging it into stream or lake, the combined storm and sanitary sewer is undesirable and introduces difficulty and higher cost of operation of the disposal or treatment works.

Disposal or treatment works are generally necessary where the low flow in the stream is less than forty times the average flow from the sewer. When disposal works are necessary, the approval of the State Board of Health should be secured. The engineers of that Board have made recent discoveries in regard to the operation and consequently the design of sewage disposal works in Minnesota that no town can afford to neglect.

There are often moot points, as, for instance, in regard to location of pipes, as to the use of streets or alleys, and many others which arise which need attention. The introduction of a water supply and sewer system should be accompanied by plumbing ordinances which will insure high grade work within buildings and which will prevent waste of water.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota,
E. L. BENNETT, Secretary

The Municipal Reference Bureau is at the service of all Minnesota municipalities for the answering of questions concerning municipal government and administration, for making researches, drafting ordinances, and sending suggestions to municipalities with particular problems. A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

Internal Revenue; Licenses

Question: Is there a revenue on admission to a roller skating rink? In our case there is no admission to the building, but for skating. Should there be a war tax on this?

Are halls and public building where shows are conducted, skating rinks operated, etc., supposed to pay a license?

Answer: The Internal Revenue Act reads in part as follows: "Section 700. That from and after the first day

of December, 1917, there shall be levied, assessed, collected, and paid a tax of one cent for each ten cents or fraction thereof paid for admission to any public performance for profit at any cabaret or other similar entertainment to which the charge for admission is wholly or in part included in the price paid for refreshments, service or merchandise." From this section your answer is that the war tax must be paid on the charge made for skating. I

have called up the office of the Internal Revenue Collector in St. Paul and I was told that this is the case. So your admission should pay a war tax.

In reply to your second question, I may say that the building where shows, skating, etc., are given do not appear to be subject to a Federal War Tax. I did not inquire about this matter from the Internal Revenue Officer, but I am unable to find anything in the Revenue Law which seems to impose such a tax. Whether they should pay a license tax to the village or not is a question for the village council to decide. Paragraph 12 of Section 1268 General Statutes of 1913 empowers the village "To prevent or license and regulate the exhibition of circuses, theatrical performances, or shows of any kind, and the keeping of billiard tables, pigeonhole tables, and bowling alleys; to restrain or license and regulate auctioneers, transient dealers, hawkers, and peddlers, and in all such cases to fix the price of said license and prescribe the terms of its continuance and to revoke such license when, in opinion of the council, the good order of the village requires it. Provided that the council in its discretion, may refuse to grant a license for any of the above purposes and the terms of no such license shall extend beyond the annual election next after the granting thereof."

Wages in Municipal Plants

Question: Have you any statistics available as to wages paid and hours per day, for engineers and firemen working in Municipal Electric Light Plants in cities of two thousand to three thousand population.

Answer: (To secure this informa-

tion it was necessary to send out inquiries, and the occasion was availed of to ask for some further information, from all the municipalities of the state. A few replies are yet to be received. The following answer sent to the inquirer is all that has yet been prepared from the answers received.) We have received a number of replies to our inquiries sent out to get the information you requested. We have not yet undertaken to prepare the bulk of it for presentation in a report but are able to advise you that the following wages of engineers and firemen are reported by the cities indicated.

CITIES	WAGES OF ENGINEERS	FIREMAN
Fairmont	\$75 to \$90	\$75
Blue Earth	\$75	
Luverne	\$100 to \$85	same man
Montevideo	\$80	30c pr. hr.
Sauk Centre	\$80 and \$95	
Marshall	\$85 and \$90	\$80

Renaming Streets

Question: Can you inform me whether or not any city in the State of Minnesota has recently renamed its streets, and if so, whether or not any legal difficulties were encountered?

We are now working to re-name our streets, and do not want to run up against any legal difficulties if it is possible to avoid them.

Answer: No very considerable change of street names by any city has come under my notice within the last few months. However, it would be more difficult to find a considerable city which had not changed the names of some of its streets than it would be to find several cities which have done so. The ordinance books of Minneapolis, St. Paul, Duluth and many others contain ordinances renaming streets. The city council has power to make such

changes by virtue of its general control of the streets. I do not know of any case in which this power has been contested before the Supreme Court. It therefore appears to me that all your council needs to do is to pass an ordinance designating the streets by their old and their new names and requiring references to them in official documents by the new.

Manhole Covers

Question: Have you any information as to what weight of manhole covers or tops are best suited under the condition of heavy traffic over ordinary streets and roads. Would a top weighing from 285 to 320 pounds be heavy enough to stand tractors and motors as well as automobiles and wagons. I have been informed that some towns have found it necessary to replace the light tops with heavier ones and as

this village is installing a sewer system, we wish to make sure that the tops furnished are heavy enough for ordinary purposes.

Answer: I have ascertained that Minneapolis uses a manhole cover weighing 216 pounds and a ring weighing 193. If your 285 pound top includes both cover and ring it would appear to be of the lighter weight. If however the "285 or 320 pounds" is the weight of the cover alone you have a heavier cover than Minneapolis uses. Minneapolis does not permit trucks or tractors with lugs on the wheels to travel over her streets without special permission or a removal of the lugs. Perhaps it would be well to make such a requirement in your case.

Very often manhole tops are broken not so much because of inadequate strength as because they are not properly seated in the ring to prevent rattling and unequal strains upon them.

Memoir—James E. Jenks

James E. Jenks was born in Clearwater, Minn., August 9th, 1871; and died in Minneapolis, Minn., December 2, 1917, aged forty-six years, three months and twenty-three days. His parents were James and Sarah E. Noyes Jenks, pioneers, who came from Cumberland County, Nova Scotia, in 1856. They located first at St. Anthony Falls, in this state, and from there moved to Fair Haven, and then to Maine Prairie, Stearns County, where they lived in the old log fort during the terrors of the Indian uprising. After the Civil War, they moved to a farm near Clearwater, Wright County, where the subject of this memoir was born.

James E. Jenks lived on the farm with his parents until he was fifteen years of age, when he went to St. Cloud to attend the State Normal School. He graduated from this institution in 1891 and thereafter taught school for two years. He entered Carleton College at Northfield, Minn., in 1893, and then went to Washington, D. C., where he received his law degree from Columbia in 1897.

In 1898 he returned to St. Cloud and began the practice of law in the office of Myron D. Taylor, with whom he was associated under the firm name of Taylor & Jenks until Mr. Taylor became district judge in 1906. Thereafter Mr. Jenks practiced alone until 1913, when

he formed a partnership with James J. Quigley. This partnership continued until his death.

Mr. Jenks always took a lively interest in all public affairs, and held various important public positions from time to time. For twelve years he was a member of the State Board of Law Examiners, for several years secretary of the St. Cloud School Board, for five years City Attorney, and for many years secretary of the Charity Commission. He was also an active member of the St. Cloud Commercial Club, and was secretary of the Civic League until it was succeeded by the Commercial Club.

Mr. Jenks has done more perhaps than any other man in the state to place the League of Minnesota Municipalities on a firm and enduring basis. He may with propriety be called the father of the league. It was largely through his efforts that the league was organized. He was its first president, and served in that capacity for two terms. Although unable to attend its conventions the past two years on account of sickness, he always took an active interest in its work. The league

will miss his wise counsel.

Mr. Jenks was prominent in fraternal and church circles. He was a member and past master of the Ancient Free and Accepted Masons and a member of the Elks and the Modern Woodman of America. He was also a member of the Presbyterian Church, and for a number of years superintendent of the Sabbath School.

Mr. Jenks was married June 13, 1900, to Marion S. Shaw, daughter of Mr. and Mrs. O. W. Shaw of Austin, Minn.

James J. Quigley, law partner of Mr. Jenks, paid a tribute to Mr. Jenks on learning of his death.

"He was a fearless lawyer, honest and conscientious, and I believe he did more to elevate the standard of the legal profession than any other single man in the state during the last years of his practice," Mr. Quigley said.

"In a political way, Mr. Jenks, perhaps, was not eminently successful, because he had always stood unflinchingly in support of his views. His life was an open book and I deem his death not only a personal loss to the bar of the city but to that of the state as well."

—P. J. S.

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ROCHESTER

October 16-17, 1918

The League of Minnesota Municipalities is a co-operative association of the cities and villages of the North Star State, all contributing to the common stock of practical knowledge and experiences which is accumulating for the use of cities and villages in solving their actual problems of municipal administration. The purposes of the League are not narrow and self seeking; its efforts are directed toward the service of the municipalities of Minnesota by extending the achievements of each to all the rest, and by working all together to accomplish the things that can best be done by co-operation. The purpose of a municipality in joining the League is not to secure any particular advantage for itself alone, but rather to take its place and do its part in working for the advancement of good and efficient government for all cities and villages.

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MINNESOTA MUNICIPALITIES

Devoted to Municipal Progress in Minnesota

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No. 5

THE BASIS OF RATE MAKING SHALL MUNICIPAL BONDS BE TAXED? FORCE ACCOUNT PAVING FIRE PROTECTION

ABOUT ROCHESTER AND THE CONVENTION

See pages 142 and 144.

Membership list, inside back cover.

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The Ways of a City.....	135
Editorials	
Will Your Municipality Be Represented?.....	135
The Basis of Rate Making.....	136
Service-at-Cost Under Municipal Ownership.....	139
Look to the Franchise.....	140
About the Poorest Policy.....	140
Shall Municipal Bonds Be Taxed?.....	141
A Word about Rochester.....	142
At Rochester	144
Federal Approval Required for Construction of Highways.....	145
Motor Trucks v. Highway Construction and Maintenance Cost.....	146
Dirt Road Handicap.....	149
Ashtabula's Experience with Proportional Representation.....	154
War Relief for Families of Enlisted Men.....	156
The Age of Innocence.....	163
Information Department	
Preventing Freezing in Tank Riser.....	166
Vocational Education	166
Apportionment of Plant Expenses.....	167
Fire Risk and Protection in Small Cities and Villages.....	168-169
Lower Profits for Utilities?.....	169
Delivering Bills	170
Should a Steam Boiler Be Covered?.....	170

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The Ways of a City

For there is an air about a city, and it has a way with it, whereby a man may recognize one from another at once. There are cities full of happiness and cities full of pleasure, and cities full of gloom. There are cities with their faces to heaven, and some with their faces to earth; some have a way of looking at the past and others look at the future; some notice you if you come among them, others glance at you, others let you go by. Some love the cities that are their neighbors, others are dear to the plains and to the heath; some cities are bare to the wind, others have purple cloaks and others brown cloaks and some are clad in white. Some tell the old tale of their infancy, with others it is secret; some cities sing and some mutter, some are angry. And some have broken hearts, and each city has her way of greeting Time.

—LORD DUNSANY.

In "The Madness of Andelsprutz."

Will Your Municipality Be Represented?

The League has more members than ever, and it is fair to expect that the attendance at this year's convention will set a new record. An examination of the registration book reveals that quite a few members omitted to send delegates in previous years, even though the attendance was large. Now a municipality can get a great deal of benefit from its membership without being represented at the convention, but that's no reason to forego the greatest benefit the League offers its members. From some members the whole council and administration have come; others have sent fewer. This year every member

should have its delegate at Rochester. Their expenses are a very proper charge for the municipality to pay, inasmuch as the municipality is to receive the benefit of their attendance. Most of the municipalities have recognized this. The other members should do so, since they cannot get the full measure of good from their League without representation at its convention.

THE BASIS OF RATE MAKING

In some of the states of the Union there are public utility commissions with a measure of statewide authority. And some of these commissions, upon being approached by public utility corporations with "emergency" petitions for rate increases, have assumed and exercised the authority to grant such increases notwithstanding that the corporations were already charging the maximum limit under their franchise contracts, and notwithstanding the protests of the municipalities affected. It is true that the full increase requested has seldom if ever been granted, for the cities have been able to show that the claimed losses were larger than the real.

It is a happy circumstance that Minnesota has no public utilities commission with such authority; and that the courts have held that franchises are contracts as capable of enforcement as are any contracts. And there is an element of grim humor in the present aspect of certain utility corporations which in their prosperous years met requests for rate concessions by pointing to the franchise and saying: "That's our bargain, and it's not our fault if it's a hard one for the public." Now these same corporations are asking to exceed the franchise rate, and the cities have learned the answer well.

But there is no denying the fact that utilities are now bearing heavier costs. When they come to the city council petitioning for an increase of rates they do so upon the ground that they are losing money under the old rates. And every council recognizes that if this claim is substantiated the rate increase should be granted; not only is it the fair thing to do, but it is the only way of assuring the maintenance of good service, as well. When we find this situation we find the minds of the council and of the utility men have in effect met in agreement upon this, that a service-at-cost basis is the proper basis for making rates, whether it is so written in the franchise or not. But this fundamental agreement is only the beginning of the process of determining whether the present rate is or is not adequate. Inasmuch as the utility corporation is claiming the loss and seeking relief, upon it devolves the burden of proof. What figures, then, must the council require it to show, before granting the increase? For it is necessary that the council prescribe them, if confusion is to be avoided. The editor had occasion recently to examine some figures submitted to the council of a small city, which were altogether worthless, consisting merely of a disbursement record, distributed among a number of accounts which have little or no significance for rate making purposes. Furthermore, the \$6800 loss purported to be shown on six months' operation scaled down to less than \$4000 by the correction

of but a few obvious errors. At the same time the corporation furnished an unsubstantiated statement from their ledger claiming a loss of \$6500 for the six months. This loss may have been actual or not, but at any rate it is the one the claim of which should have been supported by figures from the corporation's books. It is worth while to set forth a schedule of the items which must be known by the council which is to determine upon the fairness of a given rate and upon the justice of a petition for an increase.

The Capital Cost

I. The first thing necessary to be known is the capital cost of the utility, that is, the annual or monthly amounts proper to be paid from earnings to stockholders as dividends, to bondholders and to other security holders as interest. This capital cost can be determined by finding the proper valuation of the utility or such portion of it as is used solely in or allocated to the particular municipality for the purpose of supplying electricity, water, gas, or heat, as the case may be, and applying to that valuation the rate which may be deemed proper and just for the utility to earn.

a. There are several possible methods of determining the proper value, the principal among them being that of appraisal at market value, so called, of determining the cost of reproduction new, less depreciation to present condition, and what may be called the historical method. The first of these is quite an elusive and unsatisfactory method; the second is seldom satisfactory, and by reason of the abnormal war prices now obtaining, would result in a valuation far too high for a plant built several years ago; the historical method, being easy to correct in any item in which it might work a manifest injustice, must receive the preference for small cities and their utilities.

It should be no difficult matter for the corporation to show what capital was actually invested in its plant in the first place, together with subsequent additions. Nothing should be allowed for franchise or going value, so called. Property or equipment not required for the efficient operation of the utility business should not be allowed, however good or bad an investment it may be intrinsically. Sometimes capital equipment is used jointly to supply other municipalities, as a common power house, or to operate other utilities, as where the same boilers furnish steam both for generating electricity and for pumping water, or where either exhaust or live steam, or both, is used in a central station heating system. In such cases it is necessary to allocate or apportion the investment among the several municipalities or utilities enjoying the joint use. This may appear a formidable task, but is not impossible if undertaken by means of a formula such as described in the bulletin printed on other pages of this issue. If the corporation has regularly set aside sufficient sums to care for depreciation, and has either accumulated them into a reserve fund or spent them in improvements or extensions which keep the value of the utility up to the original investment, the valuation for rate making will be the same as with the original investments; if neither of these has been done, it is to be assumed that the sums which should have been devoted to those

uses have been paid to stockholders in excess dividends, and, consequently the valuation should be reduced by the amount of accrued depreciation. Investments of new capital from undivided earnings should not be allowed. Capital invested in any retail business carried on in connection with the utility should be excluded.

b. We must decide upon an earning rate to be applied to the valuation reached. That portion represented by bonds or other securities is of course entitled to earn the stipulated rate, and perhaps more, up to the rate agreed upon for dividends. This rate may properly be higher than that which Liberty Bonds pay. But it should not be so high as current loan interest, or as would be expected from a successful investment in a competitive business; for the utility is in fact a monopoly, and under service-at-cost principles its earnings are guaranteed by the provision that rates can be increased to maintain earnings. If a sliding scale is at all acceptable to the corporation the city should gladly incorporate it into the agreement.

Operating Costs

II. The second group of expenses upon which the rate depends is that incurred in the operation of the utility. There are, of course, a multitude of these, but they can easily be grouped under a few heads. For instance, electric corporations in California report all operating expenses classified as follows: **production, transmission, distribution, commercial, general and miscellaneous**, (i. e. overhead), **by-product and steam sales, expenses, taxes, and amortization of general capital**; depreciation is included under the last heading. Another simple classification, which could be used in many cases, would be as follows: **repairs and maintenance, fuel, miscellaneous supplies, labor**, except as charged in other expenses, **overhead or general expenses, insurance, taxes, depreciation**.

a. The statement of these items should cover the actual cost by months for at least two years past, and should include careful estimates, based upon existing contracts or supplies on hand as well as on current prices, of the same items for a year ahead.

b. Mere disbursement records should not be accepted, as expenses may be accrued for several months and paid all at once, or supplies purchased in one month may last six. For instance, in the fuel account we want to know how much was burned in March and how much in July, not how much was paid for then, and similarly with other accounts. What we need is a **cost record**, not check stubs.

c. All expenses chargeable jointly to more than one city, or to more than one utility or business, should be allocated as to each city and utility.

d. The expenses shown should be only such as are necessary for the efficient operation and management of the utility. The consumers should not be asked to pay for coal to heat water which runs through a leaky boiler without doing any work, or to bear any other expense which is a waste.

Revenues

III. With the statement of capital and operating expenses should be submitted one of operating and other revenue derived from or allocated to the city which is asked for the increase of rates. This should show in detail the number of consumers served under each block of each rate schedule, the amount of current or other service taken, and the revenue derived from each block. That is, we should have a thorough consumer analysis of the utility's business.

What To Do With The Report

When the corporation has submitted a proper statement as above the council should, consider it, and in most cases should have it audited by a competent accountant. In some cases it would be advisable to have an engineer check the figures and examine into the condition and efficiency of the plant. When the figures submitted are verified and found correct a comparison of the total of costs with the total of revenues, **each as applying only to the single city and to the single utility**, shows whether the utility is operating at a loss, or is earning upon a service-at-cost basis, or is earning an excess upon such a basis.

It is obvious that only in the first case should the request for an increase be granted. And if it is to be granted, the council must apply the proposed new rates to the figures in the consumer analysis, to see what revenue would be obtained thereby, and perhaps scale them down so that the consumers will not pay more than enough to make up the loss. It may appear, too, that the old schedule works some injustices upon one or another class of consumers. In such cases the blocks of the schedule should be readjusted, rates being established which will not only give the corporation its fair income, but will also distribute the charges fairly among the consumers.

Service-at-Cost Under Municipal Ownership

The rate-making basis under a service-at-cost franchise does not differ from that which should obtain under municipal ownership, except that instead of paying stockholders dividends upon so much of the capital value as is not owed in bonds or other securities, the consumers should receive its earnings in the shape of rate reductions below what would be proper under private ownership. It follows, therefore, that the rate-making basis set forth in the preceding article, when corrected in this one particular, is the proper one under municipal ownership, and should be used by municipal authorities who find it necessary now to revise the rates of utilities owned and operated by their municipalities.

 **4th Liberty Loan—Go it Strong** 

Look to the Franchise

Whenever an utility corporation asks a council to permit an increase of rates, especially one which exceeds the franchise maximum, the gentlemen who hear the petition will do well to examine the franchise. If it fails to reserve rate-fixing power to the city, if it lacks purchase and service and accounting clauses, or any other clauses which belong in a service-at-cost franchise, the council should not neglect the opportunity to secure the amendment of the franchise to include them, as a condition accompanying any increase. We can conceive that in some cases, where a franchise has many years yet to run, it would be a good bargain to get upon a service-at-cost basis at the price of a temporary rate increase, even though the council were not entirely convinced that the utility corporation is now actually losing money.

About the Poorest Policy

We have received a clipping which indicates that some time ago the corporation supplying one of the League members with gas and electricity petitioned the council for authority to increase its gas rates by thirty-five cents. The city council thought ten cents a sufficient increase, and granted that much. The corporation thought ten cents insufficient, and remained unsatisfied.

Now it would appear from the clipping that this same corporation holds its electric franchise without any rate restrictions, and that it has decided to recoup its losses on gas by means of this advantage. It proposes to raise its initial rate of ten cents per k. w. h. to fifteen, and its second block rate from seven cents to twelve and one half. A third rate of ten cents is established for consumption in excess of one hundred k. w. h. per month. As most consumers will not use the full amount at the fifteen cent rate, their bills are to be increased only fifty per cent. But who ever does use the second fifty will pay almost an eighty per cent increase upon them. And both will have the comfort of knowing that by their constrained largess the utility company is sustained and their gas burning neighbor is furnished his fuel and light at a slight increase upon the old rates. It may be that they will themselves install gas lights.

Now the saying about what happened to Peter and Paul doesn't exactly apply to this case. It may be that the story we read wasn't an accurate presentation of the case. But the chances are it was. And the utter inequity of the situation which results is one more item in the score against franchises which lack clauses protecting the consumers against arbitrary increases, and guaranteeing the companies rates adequate to furnish each service at cost. And yet some utility corporations sometimes wonder why the public is ever inclined to be "vindictive."

 **KEEP ON BUYING W. S. S.** 

Shall Municipal Bonds Be Taxed?

The League has suggested to the officials of its member municipalities to protest against a provision of the House of Representatives War Revenue Bill which would impose both a direct and an indirect tax upon municipal bonds. The League itself protested in the following letter, sent to the Senators and Congressmen from Minnesota.

Dear Sir:

We are writing to call your attention to one of the provisions of the House Ways and Means Committee War Revenue Bill, which provision we regard as very unfortunate. It is the proposal to levy both a direct and an indirect tax upon municipal bonds. Now we understand that such a tax was once declared unconstitutional by the Supreme Court. And aside from any question of constitutionality, we know that it would have a most unhappy effect upon the credit of all municipalities. If cities and villages were spending borrowed money wantonly, it would perhaps be well to curb their power, but they are not. We can say for the municipalities of this state that they are making very few, if any improvements which can be deferred. They submit readily to the judgment of the Capital Issues Committee, and they postpone many contemplated works without suggestion except from their own patriotism.

The co-operation of these cities and villages began with the beginning of the war, and will continue unreservedly until it is won. But a tax upon municipal bonds is a tax upon municipal government—upon schools, hospitals, charitable and correctional institutions, upon fire and police protection, upon sewers, upon water supply, and upon public health work. When the public health depends upon the construction of a new water main or a new sewer, and when an essential industry is hampered by an unimproved street, then that municipality needs to use its credit unimpaired in order that it may be able to do its part in winning the war.

In making this protest we speak for the members of the League of Minnesota Municipalities—one hundred thirty-five of the principal villages and cities of this state. We trust that Congress will not pass this provision, which would incapacitate not our members alone, but hundreds of other municipalities as well, in their part of the war.

Very truly yours,
League of Minnesota Municipalities

The matter is dealt with from another angle in an editorial in the New York Sun of September 19:

A Dog in the Manger Tax.

If there were no question whatever as to the legal right of the Federal Government to tax future issues of State and municipal bonds, if every mother's son of us conceded that such taxes could be legally and properly laid, there still would be a large question as to the wisdom and the effectiveness of such a tax.

Plainly it is the intent of the House of Representatives to drive big investment capital into Government bonds, subject to heavy surtaxes, rather than let it go into State and municipal bonds tax free. Evidently the House thinks that if all those bonds are made taxable, then, as a matter of course, the Government security will become a preferred bond with the big investor.

But the common sense of the thing is that if big investment capital cannot or will not go now into Government bonds under surtaxes so heavy that they make the interest returns only nominal, then that same capital will still refrain from going into those bonds although the interest returns on some other bonds also may become only nominal. Again, the common sense of the thing is that the big investment that cannot or will not go now into Government bonds still can and will be drawn, after and despite the tax, into State and municipal bonds.

In offering bonds the Government will not bid high for money; the State and municipality must. If the Congress revenue bill claps the income tax upon State and municipal bonds, then what must happen is that, to borrow money in competition with the United States, the States and municipalities will raise their interest rates enough to cover the investor's tax on such State and municipal bonds. In effect, that investors will not pay the taxes; the State and municipality will pay them. The Federal Government still will not get the bond subscriptions. All that will have happened, in the matter of such subscriptions, is that the Congress revenue measure will have raised interest rates against the State and the municipality. This is why local governments within the United States are bitterly protesting the House tax scheme as nothing better than a dog in the manger policy.

State and municipal bonds are put out, for the most part, in long term issues. When the Federal revenue measure increases the interest rates on them it is going to put upon the States and municipalities a crushing burden which must be carried for years after the war is over and after the heavy

Federal taxes have been reduced or removed. Then, invested in such State and municipal bonds, paying the investor 5 per cent., 6 per cent., perhaps 7 per cent., for a generation or more after the war is fought and won and ended, big capital will have a gold mine.

Is it sensible, is it rational, to pile enormous interest charges upon all the communities within the United States without thereby achieving the purpose of forcing a market for Liberty bonds with capital in big blocks? The greater the needless burdens loaded upon the State and the municipality and the heavier the local taxes which citizens must endure to meet those heavier burdens of the local governments the more weakened must become the resources of the interests and individuals within those communities and the less free capital must they have to yield to the Federal Government.

If the leaders of the House can figure out in cold blood how the sales of United States bonds can be benefited by this tax on State

and municipal bonds there might be some justification for it. But if it is merely going to cost the local governments and communities billions of dollars—if it is not going to benefit anybody materially except big investors, by giving them a fatter interest rate than they otherwise could possibly get—then the Senate ought to kill it as dead as a door nail.

Replies to the League's letter have come from Senators Nelson and Kellogg, and from most of the Representatives. Nearly all expressed themselves as concurring in the League's attitude, and the others promised to study the matter. From other states we hear their Leagues have been active also. The bill has passed the House, but it is probable that the Senate will delete the objectionable section.

A Word About Rochester

By E. C. Hackett

Secretary of the Rochester Commercial Club

The character of any city or community is but the reflection of the character of its citizenship. A laggard, sloven people find expression in a "dead town" with no civic pride or spirit of progressiveness, while a live wide-awake people is the basis of the community that is making the greatest strides in civic welfare.

Thus it is that Rochester proudly claims to be one of the most progressive cities of the northwest, because the citizenship is keen, active, and awake, conservative to a marked degree, yet ready at all times to promote any undertaking that will prove beneficial to the general welfare of the community.

"Country town" Rochester has been called, yet to the student of municipal affairs, the city bears comparison with communities many times larger in size.

A World City

Rochester, unlike the great majority, is a world city. Few cities in the entire country are known throughout the civilized world better than Rochester. The great hospitals have made Rochester not only famous, but have made a city of municipal progress that finds few superiors, and this is due to the vision of the people, quick to see the opportunity, ready to take the initiative that builds modern cities for the future.

A Garden Spot

Early pioneers who blazed the way into Southern Minnesota picked a garden spot, when they camped on the banks of the Zumbro and laid the foundation of a city destined to be an influential world factor in the field of scientific research and medicine. And they called the place Rochester.

Nestled among the hills of Southern Minnesota, Rochester is the center of one of the most prosperous agricultural sections of the United States, where corn, barley, rye, and oats grow in abundance, and where the best grades of dairy and beef cattle can be found grazing on a thousand hills. The city is the county seat of Olmsted county with a population of 32,000. Rochester claims a population of 13,500, and more than 4,000 transient population per day. Last year more than 175,000 people visited the city, called by the fame of the hospitals.

During the past few years Rochester has made wonderful strides in municipal progress until today the city has over thirteen miles of paving, a splendid system of cluster lighting and the most modern stores that would do justice to a much larger metropolis.

Rochester is not an industrial town, the entire resources of the city coming from the business of the hospitals and a very large retail trading territory. There is, however, one factory, the Conley Camera Co., employing 150 people, and making the entire output of cameras marketed by the Sears Roebuck Co.

Here also is located the State hospital for the insane, housing more than 1300 patients. The spacious grounds, with its well laid parks, the large farm, and the provision made for the comfort and the care of the patients are well worth the time of the visitor to inspect. Dr. A. F. Kilbourne is superintendent and has the aid of an excellent staff of doctors and nurses.

Well Managed Public Utilities

Rochester believes in municipal progress. The city has operated its electric light plant for a number of years

at a profit. Recently a new plant was constructed, valued at \$300,000, and built at not one cent of cost to the taxpayer, the accrued profits of the old plant and earnings of the new paying the cost. Experts agree that the plant is one of the most modern in every detail in the northwest.

In addition, the city voted \$675,000 in bonds and today is building a municipally owned sixty-five foot power dam, fourteen miles from the city. When completed Rochester will have ample power at the lowest cost of production.

Parks A-Plenty

Rochester has four parks, comprising forty-five acres of land, valued at \$195,000, that furnish ample facilities for playgrounds and outdoor recreation. The city also owns one of the finest athletic fields in the northwest. Mayo park is the largest of the four, and attracts the largest attention because of its spacious picnic grounds, rich flower gardens, greenhouse, playgrounds and \$10,000 band stand. Here also are handsome statues of Washington and Lincoln, and a bronze statue of the late Dr. W. W. Mayo, which was a gift of the citizens.

Education

The educational facilities of the city are unusual for a city of its size. A high school that ranks among the best in the state, five ward buildings, a central grade building comprise the school property valued at nearly \$1,000,000. A two year university course is offered at the high school. The Catholic church also maintains splendid schools, having two well equipped buildings, offering both grade and high school courses for boys and girls.

Another note of municipal progress is the fire department which is completely motorized and housed in its own building that occupies a commanding position at the head of Broadway.

Civic Spirit

The organized effort of the people, of Rochester has been largely responsible for the civic progress. The Civic League, a ladies' organization, has been active in community affairs, and through its leadership, many splendid ideas have been adopted, all of which have proven successful. Among these may be noted medical inspection in the city schools, a visiting nurse, the support of which is entirely met by the ladies, and a policewoman as a part of the city police force. Rochester also has a live commercial organization, the Rochester Commercial Club, with a membership of over four hundred. The organization owns its own building, valued at \$30,000, and has an up-to-date club home. A ladies' rest room, a public meeting room, headquarters for all war activities, etc., are maintained in the building.

In the War

Rochester has been active and a leader in the big business of the nation—war. The varied war activities that

have arisen during the past year have been centralized in a war council at the Commercial Club, which has resulted in the most efficient work, with the greatest results.

Not Through Growing

Rochester has enjoyed an unusual growth during the past five years. Building operations have been continued at high speed until halted by the war, and will be renewed when peace has been declared. The city now has twenty-five modern hotels, about three hundred boarding and rooming houses. This better than all else tells the story of Rochester's success, Rochester's progress and Rochester's fame.

Glad to Have You Come

To the visitor the city always extends the glad hand. As one visitor said, after leaving, Rochester is anxious that every stranger enjoy himself while there, and go away with a good impression of the town.

Rochester's hospitality, sincere in every respect will be extended to every delegate attending the convention of League of Minnesota Municipalities.

Have "Member of The League of Minnesota Municipalities" printed on your official letterheads. It helps your town and it helps the League.

At Rochester

The city which entertains this year's convention of the League can claim the qualifications of a good hostess city. She has fine homes and schools and streets; her hotels are numerous, and her armory furnishes an auditorium ample for the sessions of the convention; her people have under way the construction of a magnificent hydro-

electric plant, which will place her well in the front among the utility owning municipalities; she has also her own water works; she has the Mayo Clinic, the most famous in America, and now a part of the University of Minnesota. The delegates whom she receives October 16 and 17 will see all these, and other things which she has to show.

For Rochester proposes to make the acquaintance of the officials of Minnesota's other cities and villages, in the intervals of the convention. So Wednesday evening there will be an automobile drive about the city and out to the state hospital, where the delegates will be given a dinner. And on the second day the run will be made to the dam on the Zumbro, and luncheon will be served at the works. We can depend upon it, Rochester will in no wise fall down on her part of this convention.

The program itself is practically completed, and will shortly be mailed to officials of villages and cities throughout the state. On the first day there will be two addresses by outside speakers: in the afternoon Mr. Charles Zueblin, the eminent publicist, of Boston, will address the convention upon "The Service of the City"; in the evening, Professor Wm. Anderson, of the

University of Minnesota, will speak on "The War Powers of Cities," and Professor C. G. Hoag, secretary of the American Proportional Representation League, will speak upon methods of electing representative bodies; an actual election will be conducted, to demonstrate the workings of the proportional representation method. In the morning of the second day a joint session will be held with the Minnesota Section of the American Waterworks Association; in the afternoon, at the dam, the business session of the League will be held; in the evening Mr. Zueblin will address an open meeting upon "Federalism and World-Organization." Section meetings and committee reports, and their consideration, with the addresses mentioned, will make the convention days busy ones for the delegates. And the rollcall will bring out what each member can tell the League.

Federal Approval Required for Construction of Highways

Regulations Governing Policy and Procedure During War Period Made Known by United States Highways Council

On August 23, 1918, the United States Highways Council made public its regulations, effective September 10, governing highway and street work during the period of the war. Federal approval is required for practically all highway construction.

"No manufacturer," the council's announcement says, "will furnish any road building material until the project has been approved by the United States Highways Council."

The proposed work that should be first submitted to the United States Highways Council through the appro-

priate State highway department is defined as follows:

"All proposed highway, street, culvert and bridge construction, reconstruction, and maintenance involving: (a) the issuance of bonds; (b) the use of rail or water transportation; (c) the use of coal or oil as fuel; (d) the use of cement, brick, asphalt, oil, tar, crushed stone, or steel (also sand and gravel where shortage exists) as highway material."

The council urges that new highway and street construction be confined to most essential needs, and announces

that it will give first consideration to the maintenance of highways already completed. Reconstruction is to be favorably considered only where it is clear that maintenance is no longer possible except at prohibitive cost.

Military Roads First

New construction, it is announced, will be given consideration by the council in the following order:

First, highways and streets of military value, used regularly for the transportation of military supplies in considerable quantity, for the movement as an established practice of army-truck trains, or essential to the efficient operation of a military cantonment, post, or plant; second, highways and streets of national economic value, serving directly to promote the national welfare and not merely local welfare; third, unfinished contracts involving contractual obligations (incurred prior to April 5, 1918, where bond issue is involved) which may not be disturbed without serious consequences; fourth, streets and highways which although not of national economic importance are of extreme local importance, and the construction of which has progressed to such a point that se-

rious hardship would be caused if their construction or completion should be postponed.

Plans Program for 1919

The council is soon to begin, in co-operation with the Bureau of Public Roads of the United States Department of Agriculture, and the State highway departments, preparation of a program of road and street construction, reconstruction and maintenance throughout the United States for the working season of 1919.

The purpose is to approximate the character and amount of work deemed essential for 1919, with the amount and character of financing and materials involved, and the probable demand on rail and water transportation and labor supply. The preparation of the program in each State is to be in charge of the State highway department.

The United States Highways Council is composed of representatives from the Department of Agriculture, the War Department, the Railroad Administration, the War Industries Board, and the Fuel Administration. Logan Waller Page, director of the Bureau of Public Roads is chairman of the council.

Motor Trucks v. Highway Construction and Maintenance Cost

By T. H. MacDonald, Chief Engineer Iowa State Highway Commission

Demand of Sales Department of Motor Truck Company

"We want a road surface at least twenty feet wide, capable of sustaining vehicles with axle loads of fourteen tons, wheel loads of seven tons and tire loads of one thousand pounds per inch of width, running at fifteen miles per hour and no detours."

The item of highway construction and maintenance cost is being almost entirely overlooked by motor truck producers and advocates. Enthusiasts hail the motor truck as the instant solution of all transportation problems.

They seem utterly to forget or ignore the impossibility, let alone the prohibitive cost of providing, almost overnight, roads and streets capable of withstanding the traffic they propose to put upon them. It is demanded by them that the public instantly furnish a roadbed over which heavy freight may be moved by motor trucks in competition with railroads.

It can't be done. It is time that a little judgment should govern the demands of the ultra-enthusiastic motor truckers. The average highway, of either earth or paved surfaces, especially those of the middle west, can not even begin to carry motor truck traffic these enthusiasts would put upon them. Unless such traffic is held in check and within reasonable bounds the entire highway systems of every state would be utterly wrecked and destroyed. The very purpose which it is hoped to gain would be defeated and at a cost in destroyed highways which would be appalling.

The motor truck we believe would, and ultimately will, be nearly all that is claimed for it if we had the highways to withstand the traffic. But we have not, and it will take time and an appalling amount of money to build them. We can not build any great mileage of roads now in time to be a decisive factor in the present war emergency. We must continue to use the highway systems as we have them.

We must, to gain the greatest efficiency in such transportation, hold the motor truck development both as to weight and speed, to the point where our highways can carry the traffic without being utterly destroyed. To prevent great economic loss both highways and motor trucks must advance together. As we can replace our highway surfaces with something bet-

ter, the size and speed of the motor trucks can be increased.

The cost of transportation by rail includes the cost of roadway building and roadway maintenance. The same must be just as true of motor truck transportation. This is the item of cost the motor truck enthusiasts are apparently entirely overlooking.

I have been impressed by information given out on costs of truck transportation. In none of these statements has maintenance cost or repair charges for road surfaces been figured as part of the transportation charges. As a matter of fact, the actual cost of some freight movements by trucks has been greater than the value of the entire product transported, not even counting these additional charges.

The building of roads and the limitation of road materials and available road finances is the real motor truck transportation problem. The weight and speed of the rolling equipment of the railroad is proportioned to the carrying capacity of the tracks. It would be the height of business folly for a railroad management to put trains of a weight and a speed too great for the rails of the track and the bridges of the line to withstand. Before trains of a weight and speed which would wreck the existing roadway and put the line entirely out of business are put on, tracks and bridges are rebuilt and strengthened. It will be the height of business folly to allow the use of the highways to motor trucks of a weight and speed that will destroy the highways and reduce present usefulness. Just as far as we can improve these highways and strengthen the bridges, it will be practical to allow the weight and speed of motor trucks to increase, and not until then. Truck transportation must be adjusted to this the same

as the railroads adjust the size and weight of their trains to their grades, roadbeds, and bridges.

We are at war. Our highways and motor trucks must serve to relieve and assist our railways. But we must use our present highways with the best maintenance we can give them. And our present highways with only a few miles of new construction must serve until the war ends.

The situation in every state is the same. We can not build under present conditions a sufficient mileage of new paved roads to become a factor in the winning of the war. The most careful use of our highways possible is the best method of obtaining from them the largest amount of service. War emergencies, war necessities, make demands

that must be met by our highways almost entirely as they exist today.

Our great period of building new roads will follow the war. Plans and programs for the new road building are being made by every highway department. In making these plans, sane account should be made of the service to be rendered by each new highway and of its relation to the railways. For the highways will not and can not supersede the railroads for heavy or long distance transportation. The cost of transportation by rail, it must be remembered, includes roadbed and track costs. This item cannot be neglected when transportation costs by motor truck are computed.

—Iowa State Highway Commission
Service Bulletin, August, 1918.

Dirt Road Handicap

Ten Liberty Motor U. S. war trucks, ending a week's trip from Chicago to Camp Dodge on April 20th, provided interesting data upon the comparative merits of Illinois hard surfaced and Iowa earth surfaced roads from a military standpoint. The train of trucks formed part of the Three Hundred and Thirtieth field supply train attached to the Quartermaster Corps, Ordnance Department, at Camp Dodge. Major Charles Watrous was in command. The train encountered rain from Chicago on. On the macadam roads of Illinois, the detachment made 80 miles a day from 7 a. m. to 4:30 p. m. The trucks ran on an average of four miles per gallon of gasoline. After the Iowa dirt roads were struck at Davenport, the trucks averaged one mile per gallon and the average daily mileage was from 11

to 46 miles. The 46 miles run was started at 7 o'clock in the morning and lasted until two o'clock the next morning. Each truck weighed eight thousand pounds or four tons. Each carried a load of 3,000 pounds or an additional ton and a half, making the total weight of the truck and contents five and one-half tons or eleven thousand pounds. Hooks and bumpers permit the trucks to be joined together like a train. It was by this means, with those on good footing pushing or pulling, that the trucks were able to negotiate hills and mud that otherwise could not have been passed. On account of the mud of the Iowa section of the run, the trip occupied three days over the time allotted for the schedule.

—Iowa State Highway Commission
Service Bulletin, June, 1918.

Some Points on Force Account Paving*

By Oscar Claussen, Chief Engineer, City of St. Paul, Minn.

The most important municipal engineering work that is carried on by a city corporation is that of paving. Certainly the average large town in this country spends more money for pavements than it does for any other engineering work, and the City of St. Paul is no exception to this statement, as the following comparison will show:

	1912-1917	Approximate per cent of total
Expended for sewers during last 6 years	\$1,875,000	35%
Expended for grading during last 6 years	624,000	12%
Expended for sidewalks during last 6 years	243,000	4%
Expended for curbing during last 6 years	120,000	2%
Expended for pavements during last 6 years.....	2,480,000	47%
	<hr/> \$5,342,000	<hr/> 100%

With such figures at our disposal, the incentive and attempt to save money on construction of pavements would seem to be the imperative duty of the Department of Public Works

When City Force Account paving was done for the first time in 1912, there was a demand for same by the public. The idea had impressed itself on the public that paving by contractors in previous years had been done poorly and that large profits were exacted. Barring some individual jobs, this idea was an erroneous one. As a general rule, pavements laid by contractors were well and substantially built, and in accordance with specifications and the profits did not average more than 10% to 15%, in my judgment. Such profits are not exorbitant and not more than contractors should be entitled to. I believe this is

generally conceded all over the United States. This 10% to 15% applied to cost of pavements laid in St. Paul during the last six years amounts to from \$248,000 to \$372,000, or enough money to maintain the Department of Public Works for said period of six years.

Realizing this condition of affairs in 1912, the opportunity of doing force account paving was grasped with enthusiasm, but with a mind fearful of what the practical results might be. Beginning with three paving jobs in 1912, the Department has executed as high as 15 jobs in one year. Out of a total of 59 paving jobs executed during the last six years, 32 were done in competition with the lowest bids received from contractors and in each and every one of these thirty-two, the actual cost of pavement was less than contractors' lowest price bid. While in some cases the percentage of saving was very small, others were done where the contractors lowest bid was 15% to 25% higher than the actual cost of the pavement laid, the average of all jobs laid in competition being approximately ten per cent.

One of the most important operations involved in connection with force account pavement is the making and securing, as far as it is possible to do, accurate estimates of cost, as these, of course, are the determining element in deciding, after bids are received, whether to let the work by contract or proceed to do same by force account.

Contrary to the belief of at least a large portion of the public, it is not possible for any engineer to figure or pre-

*Read before the Engineers' Society of St. Paul, May 20, 1918.

determine the exact cost of any piece of engineering work. Such an engineer has not yet been discovered and never will be. The engineer never gives the cost of the work, all he does and can do is to give an estimate of the cost, his estimate of cost being more or less close to the actual cost in accordance with the experience, thorough knowledge and judgment he has about the particular kind and nature of the work to be performed. If the actual cost gets within five per cent of the estimated cost, any engineer will consider it a lucky performance. If it were possible generally to predetermine the exact cost of engineering, or even within five per cent of the actual cost, contract work would be done only in exceptional cases. However, on some work it is much easier to make a fairly close estimate of cost than on other work, as will be shown.

The two items of an estimate of cost are labor and material. The quantity of, or amount of material for a piece of engineering work is generally quite definitely called for and prescribed in plans and specifications, and therefore the cost of same can be quite accurately ascertained, but the labor, the second item of cost estimate cannot be readily predetermined and is very difficult to figure accurately. Therefore on all engineering work where the percentage of cost of material of the total cost is large, and the percentage of labor is small, it is quite possible to make a fairly accurate estimate of cost, and, on the other hand, where the percentage of labor is large, and the percentage of material small, it is much more difficult to furnish an estimate of cost approximating the actual cost.

Now on paving work, the cost of the material amounts to from seventy per cent to eighty per cent of the total cost while labor cost amounts only to from twenty to thirty per cent of the total cost. Particularly is this true with block pavements, such as brick, sandstone or creosote block; therefore it is possible to arrive at fairly close actual cost figures of pavement work, both the quantity of material and the price of same being definitely known and constituting eighty per cent of the total cost, while the amount of labor is not definitely known but constituting only twenty per cent of the cost. For example, suppose the cost of finished pavement is estimated at \$3.00 per square yard. Of this amount, say 80% or \$2.40, constitutes the cost of material and is within very narrow limits definitely known, while 20% or 60 cents per square yard of finished pavement constitutes the cost of labor not definitely known and liable to vary greatly. Now, after the pavement is finished, we find that the labor item has been 50% more, or 90 cents per square yard and the actual cost of pavement per square yard is \$3.30 in stead of \$3.00. that is, while the item of labor was increased 50% over the estimate, the cost of complete pavement was increased only 10%. The above explanations are made for the purpose of showing that it is in fact possible for the engineer, with proper experience, to give an estimated cost of a paving job that approximates closely the actual cost. The engineer is in a position to know, within reasonable limits, what a pavement will cost and therefore, in a given case, can figure in competition with a contractor whether he can do the work and save money over the contractor's figures or

not. With other words, the risk and chances of estimated cost being largely exceeded are very small. Therefore, because all elements entering into the cost of the work are fairly well known, and we know, within reasonable limits, what the actual cost of a pavement will be, barring accidents or mistakes, which may and do happen once in a while, we are in favor of force account work on pavement.

This reasoning does not hold good with sewer or grading work, which is the work next in importance and amount, as has been previously shown. For instance, in sewer work, the labor cost which is the element of uncertainty, amounts to from 60% to 70% of the total cost for sewers up to 20" diameter and constitutes about 40% for sewers as large as 4' or 5' in diameter. If we should find, on a sewer job estimated at \$20,000, (\$13,000 for labor and \$7,000 for material), that the labor item overran our estimate 50%, the sewer would cost \$26,500 or about 33% more than estimated. With that happening we would be left in a fine predicament to explain the assessment figures to interested property holders.

An additional element of uncertainty as to cost of sewer work is the unknown nature of the ground and the possible presence of water, quicksand, boulders or rock, therefore, sewer work, whether done by force account or contract is a mere gamble as to cost. Contractors largely guess at the cost and sometimes guess right and frequently wrong.

With grading work similar conditions prevail, while the labor item on grading work generally constitutes 100% of the cost and therefore is uncertain, the nature of the ground is not

quite as uncertain as prevails with sewer work.

Therefore, because the cost of sewer and grading work cannot be ascertained and predetermined within reasonable limits, and because, in other words; the element of risk is too great, the Department is not in favor of doing sewer and grading work by force account.

Other reasons for favoring force account paving are as follows: It has already been stated several times that the main elements of uncertainty in the cost of engineering work is the labor cost. Where the nature of the work is such that it will admit of employing laborers in squads under a competent foreman, all laborers working together as a unit to accomplish a cohesive piece of work, and where it is impossible for the individual laborer to shirk his allotted quota, where each man must do as much work as the best in the gang and where the best man necessarily sets the pace, work can be done more cheaply and more can be accomplished than on such work where each individual does some work different from the others, where he does some separate job by himself, where one man's work does not directly affect the other man's work; with other words, where there is a chance for an individual to loaf on the job. On paving work the men largely work in squads. To begin with, there is the grading crew, then comes the concrete crew and then the block laying crew or the asphalt crew on asphalt work. Each man in his crew must work like a link in a chain, all doing equal amounts of work and if one link breaks the entire operating mechanism is thrown out of gear. Laborers appreciate that this cannot be and is not tol-

erated and in fact do not ask for it. It also necessarily means, in the nature of things, that strong husky men must be employed, men that can accomplish a day's work. In this manner very efficient work is accomplished on paving work operations in contrast to a good many other municipal operations.

Another reason why the Department of Public Works favors force account paving is that on the whole, better work can be secured. It is not because contractors attempt deliberately to skimp the work. It is not intended to make this charge. However, contractors do rely and have a right to rely on the city's inspectors to watch the work and see that it is properly done. For the securing of good workmanship, the city must necessarily rely on various inspectors, more or less competent. Such men as the city can secure have at best only a limited knowledge of paving requirements, they are men whose technical qualifications are not of a high degree with reference to construction of pavements and whose salaries are low and whose employment is of a temporary and shifting nature. These inspectors cannot be employed throughout the year and their services are needed only for a few months through the summer season and each season a large number of new inspectors are employed. Men of special knowledge and experience who can command and get adequate salaries, cannot, except in rare cases, be secured by the city under above conditions. Another element in favor of force account work is the fact that the department keeps a very close record of all the labor operations carried on, as well as of the constantly varying costs of material, and in this manner valuable cost

data is constantly at our disposal, allowing us to keep a close check on any bids submitted by contractors with reference to the profit figured in the job. Thus the contractor is always compelled to figure his work with a small margin of profit and submit a low bid. In this way even if the work is done by contract, it is done at a lower figure than it would be done by competition with force account eliminated.

The primary reason, however, for the Department of Public Works favoring force account paving is the belief that a large saving in the cost of the work can be accomplished. The department does not, by any means, favor that all pavement should be laid by force account. Each individual paving job should be considered by itself. At times the city may not have the proper organization at its disposal, at times it may not have the proper equipment readily available, or it may have more work to do for periods than can be conveniently handled, also the contractor may have made a mistake on bidding, for some reason or another, a lower figure than the department has estimated the cost of the work. At times the contractor's judgment as to the cost of the work may vary considerably from that of the engineer, and where this judgment dictates a figure considerably lower than the engineer's figure, ordinary prudence should demand that the work be performed by the contractor.

The Department of Public Works has never claimed that in all cases paving should be done by force account, it has never claimed that in all cases the work could be done cheaper by force account. Being just mere human beings it is certain that on one or the other case the engineer's judgment will

be at fault and the cost of a paving job will be more than the contractor's lowest bid price. Particularly is this true at the present time when prices on material are varying from week to week and the element of labor expense is almost impossible to take into account adequately. To date the Department of Public Works has executed 32 paving jobs in competition with contractors lowest bid price and in each and every case a saving has accrued. The total saving on these 32 jobs amounting to \$73,000 exclusive of depreciation charges. During the years 1913 and 1914 all paving work was ordered done by force account of the Council without receiving bids from the contractors, and therefore on the 26 jobs executed in 1913 and 1914 by force account a comparison of contractor's bids cannot be made. However, the work done in 1914 comprised the largest program in paving ever carried out in this city in any one year, the cost amounting to \$760,000, equal to 23½ miles on the basis of a 27 foot roadway.

I would like to have this audience appreciate that what I have said about force account paving is not intended for propaganda, it is merely intended as an attempt to clarify the situation and bring facts and arguments before you from which, of course, you will draw your own conclusions. The Department of Public Works has attempted force account paving and advocated same in most cases because we believe it accrues and has accrued to the benefit of the public. Carrying on force account means to the department the expenditure of a large amount of energy over that required to carry on contract paving, also it means a great deal of worry. We have always felt that if

we could not beat the lowest contractor's bid price, that we would be subjected to a considerable amount of criticism by the public. Our appearance here is not from our own choosing, it was certainly a matter of being very strongly urged to present our views on force account paving. We have never felt that it was possible to go along and do job after job against the lowest contractor's bid and beat him to it. It should be clear to everyone that such a task is absolutely impossible and if it does happen, would be a miracle. It is of course, impossible to prove absolutely that force account is cheaper than contract work. If it could there would be no controversy whatever about the proposition.

All that can be done is to present circumstantial evidence from data, arguments, past experience and actual results. In my judgment contract paving, as a fixed policy, cannot be justified unless it is admitted that contractor's will do work without a profit and it would not be consistent or reasonable to assume that.

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Ashtabula's Experience with Proportional Representation

The Second Proportional Election, November 6th, 1917, in Comparison with the Majority-At-Large System in Dayton and other Manager Plan Cities

By C. G. Hoag

General Secretary-Treasurer, American Proportional Representation League

Ashtabula, Ohio, has now lived for two years under the manager plan based on a council elected by the proportional system. The second proportional election for the council of seven was held on November 6th last. We are therefore now in a position to compare Ashtabula's experience under proportional representation with the experience of other American cities governed under the manager plan.

The outstanding difference between the proportional method of electing the council, as used in Ashtabula, and the ordinary at-large method by majority or plurality vote used in other cities having the commission plan, is easily described. The one merely **condenses** the voters into their spokesmen. The other **divides** them into winners and losers. In Ashtabula every voter has the opportunity of actually helping to elect to the council a man he really wants there. And, as a matter of fact, 2680 out of 3176 valid ballots cast in the Ashtabula election each **helped elect** the citizen whom, considering the actual circumstances of grouping among the voters that existed, the voter who cast the ballot **preferred** to help elect **above all others**. In Dayton, on the other hand, which has the old at-large method of election, the voters were divided into two hostile camps, winners and losers.

The specific political effects of the two methods of election are many and profound. One of the most obvious is

that in Ashtabula all the chief elements in the community are satisfied, whereas in Dayton nearly half of the community is intensely dissatisfied and bent on overthrowing the present regime there at the earliest possible opportunity.

This important difference was well expressed by Mr. Lent D. Upson in 1915. Mr. Upson had been Director of the Dayton Bureau of Research, which co-operated in the introduction of the new manager plan government. "The experience of a year and a half," wrote Mr. Upson, "has now demonstrated the need of a more satisfactory method of connecting public opinion with the government itself. Our administration is honest, highly efficient and has exceeded my most enthusiastic expectation so far as results are concerned. I feel, however, that its work would be strengthened if every element had a voice in the policy-making body, and were compelled to go on record regarding the very matters which they are now criticizing . . . I feel confident that the greatest success of our present type of government will come under some system of proportional representation."

The Ashtabula Election of 1917

Some significant facts in regard to this election may be quoted from an article by Professor Raymond Moley, of Western Reserve University, in the *Survey* for December 22nd. Professor Moley was present at the Ashtabula

count on November 7th. In Dayton, Ohio, says Professor Moley,

"The members are elected for terms of four years at alternate elections. Two were elected in 1915 and three in 1917. The present commission is composed of four members of a non-partisan organization and one Democrat . . . It has been repeatedly asserted that the membership of the commission represents only the business and professional classes of the community.

"This year the contest was between the Socialist Party and three of the non-partisan members of the commission seeking re-election. Throughout the campaign the Socialists were subjected to a constant fire of criticism on account of the stand of their party on the question of war. Despite the unquestioned force of this appeal, the Socialist candidates received a large number of votes from loyal Americans who had no other way to protest against what they considered an unjust representation, in the legislative body, of the business interests of the community. The three non-partisan candidates were re-elected, receiving about 58 per cent of the total vote cast.

"It is worthy of serious thought that under this system of election 58 per cent of the voters elected 100 per cent of the group of representatives chosen, and that 42 per cent have no representation at all. There can be no question as to the right of a majority to control the government. But this control under the Dayton system is absolute and exclusive. The majority not only determines the policy of the government but excludes a large minority from representation. Obviously such a system must be subject in a modern city to bitter criticism. This criticism, on account of the fact that it cannot be said in the open sessions of the legislative body by regularly accredited members, is driven to irregular and sometimes undesirable methods of expression. Because of this it must be uninformed and often unjust. . . .

"Ashtabula, Ohio, has also adopted the small commission plan of city government. Seven commissioners are elected for a term of two years. All the members are chosen at the same time. But instead of the simple majority choice election, the city charter provides for proportional representation. . . .

"Sixteen candidates were nominated by petition. The ballots contained nothing but the names of the sixteen candidates. . . .

"The counting of votes was very simple. During the evening of election day the officers in each precinct counted all of the first-choice votes for each candidate. . . .

"On the afternoon of the following day the central board completed the count. To this proceeding the public was admitted. . . . The count required four hours. . . .

"While in voting no one seemed to concern himself about the national party affili-

ations of the candidates, the commission includes both Democrats and Republicans. The commission is in every way representative of all the people of the city. It should give a voice in the government to every interest and every opinion of the community.

"There are no life or death struggles for supremacy in the politics of Ashtabula. Proportional representation has ended the division of the voters into two hostile camps through the drawing of artificially created party lines. Minority groups, if their strength aggregates one-seventh of the votes, can secure representation. If a party should appear which actually amounted to a majority, it would elect a majority of the commissioners. But it could not prevent the election of candidates of the opposition. With proportional representation applied to the election in Dayton, the opposition to the non-partisan government would have elected one of the three candidates. Such a conclusion would in no way have taken from the controlling interest of the non-partisan group and would have done much toward stabilizing the city government.

"Proportional representation lessens in a marked degree the restriction which, under the ward system, prevents many able men from becoming candidates for the council. In many cases such a man hesitates to subscribe to the regularity which parties usually require. In other instances he hesitates to make the attempt to secure a majority in his own ward. But under a system which gives him a seat in the council if he can command a proportion of the electorate throughout the city, he will often succeed in making an appeal to voters who subscribe to his principles and in representing these ideas in the council. His success is due to a method which enables "voters who think alike, but live apart" to unite in support of their principles."

In another article, printed in the *National Municipal Review* for January, Professor Moley declares that the idea that "the practical working of proportional representation is so involved in technicalities that under it election officials would have more opportunity for fraud" . . . "betrays a grave lack of understanding of the practical methods used in counting the votes." He then writes:

"In Ashtabula all ballots, after being sorted by precinct officials, were enclosed in sealed envelopes and sent to the central board. The count took place in the afternoon of the day following the election. The public was admitted and a number of the spectators amused themselves by tabulating

on sheets of their own the transfers as announced. The whole proceeding was as open and as free from mystery as the drawing of the draft numbers in Washington last June. The imperative need for accuracy, the check which the result sheet provides, and the presence of spectators renders fraud practically impossible."

The general satisfaction of Ashtabula with her new method of election is fairly represented by the following letter from the President of the Ashtabula Chamber of Commerce:

"I have your letter requesting my opinion of the proportional representation method of election in use in our city.

"As a member of the Charter Commission, I was opposed to incorporating proportional representation in our Charter, believing that though the system seemed right in theory, it would not work out in practical application. We have now had two elections under this method of voting, the results of both of which I have analysed with considerable care and am convinced that proportional representation is sound both in theory and in practice. It has given us a representative Council and has eliminated many of the abuses common to the old method of conducting elections.

"You may feel free to use this expression in any way you may choose.

Respectfully yours,
(Signed) H. W. LUETHI"

Ashtabula, Ohio,
December 2, 1917.

War Relief for Families of Enlisted Men*

By Chas. Stillman, General Secretary United Charities, Saint Paul

"Charity Begins at Home." But it does not end there. It **should** not end there. The Armenians are suffering; the Serbians are suffering; Rumania needs help; France is devastated, and some of the biggest humanitarian plans ever conceived by the mind of men to relieve distress are now being carried on in this land of our splendid ally; Belgium—God-be-merciful Belgium—is on her knees in despair; Poland is scourge-swept.

American money is doing God's work in the countries across the water. I have in my hand a list of the names of more than 100 war time organizations seeking your support and mine to do a host of good things for men, women and children—race not considered, color of no consequence, religious creed never mentioned. This list comprises organizations selected, because after investigation found creditable, from a list of organizations more than double their number. That is to say, 50% of the organizations were

spurious. Slackers, profit-mongers, and detestable curs who have glossed themselves over with a slimy veneer of patriotism are sucking money-blood from rich and poor alike to strengthen the pulse beat of their own miserable existence while pretending to do it all in the name of a suffering humanity. There are enough righteous causes in these days to demand our sacrifices without toleration of any crooks posing as patriots and friends of the distressed.

One of the burning issues of this day in social service is the support of the active charities and philanthropies of peace times. Here, as in the case of extra war philanthropies, there is a host of parasites, courteously, continuously, obsequiously, and successfully separating good hard silver cartwheels and round yellow discs with milled edges from an unsuspecting and oh-how-gullible public. War appeals have thrown down the gauge to peace time charities, both the good kind and the worthless sort, and have already said to them in a well understood challenge:

*Read at Fifth Annual Convention, L. M. M., St. Cloud, Oct. 18, 1916.

"Justify your existence or pull down your shingle." From my point of view, and I speak as one who has picked up the aforesaid gauge, this situation will eventuate only in genuine good to charitable effort in our local communities. It certainly will be hard, and it is hard now for many creditable philanthropic agencies to survive. Those who are doing their work, provided it is based on a real social need, in a manner scientific and sympathetic will endure. They may modify somewhat their method of approach, and their method of performance. Many of them can stand a little modification. On the other hand, those organizations which tinkle a bell to attract attention, and, like the successful magician, push before the eyesight some flourishes to conceal what really is being surreptitiously done, will be put to it all the more to get the necessary financial support in order to continue an unprofitable and anti-social activity. Any charitable organization that is right will be taken care of by the American people—in war or in peace.

There may be some danger that organizations whose purpose it is to collect money to be spent for most desirable ends in Europe will cause not only shrinkage of the budgets of peace time charities, but will also make it difficult for organizations dealing directly with those at home who are victims in a collateral way of this great war to get highly essential financial support. For example: the families of enlisted men will need the serious attention of the general public acting through properly organized channels. Because our government is theoretically enlisting into army service only those who have no dependents, and further because our government by desirable legislation has

provided somewhat for the financial needs of such dependents or near dependents, there is a tendency to assume that organized relief and other social service activities for the benefit of families of men in Federal service can well be left to a hit-or-miss policy, and that money is not necessary for such service.

I want to point out—

First: Why it appears that there will be needed attention in an organized way to enlisted men's families.

Second: What is the organized agency for doing that service.

Third: What part public officials and private citizens can take in such service.

I. There is, it appears on examination, plenty of reason why organized attention should be given to the families of men who enter Federal service.

Everybody knows that our brave boys "somewhere in France" ought to get all the encouragement and help that an appreciative country can possibly send to them in one way or another. Yet there is a lofty idealism present in the minds of many of our fellows which when expressed makes us all at home covet their position. A letter written by a Canadian Captain to his father before his death last April will be cherished as long as life lasts by that father and that mother to whom he wrote.

Here is the letter written by the Canadian Captain:

"My Dear Father: I am writing one of these 'in case' letters for the third time, and of course I hope you will never have to read it. If you are reading it now, you will know that your youngest son 'went under' as proud as Punch on the most glorious day of his life.

"I am taking my company over the 'top' for a mile in the biggest push that has ever been launched in the world. And I trust that it is going to be the greatest factor toward peace.

"Dad, you can't imagine the wonderful feeling. A man thinks something like this: 'Well, if I am going to die this is worth it a thousand times.' I have been over two or three time before, but never with a company of my own. Think of it—a hundred and fifty officers and men who will follow you to hell, if need be.

"I don't want any of you dear people to be sorry for me, although of course you will in a way. You will miss me, but you will be proud of me. Mind you, I know what I am up against and that the odds are against me. I am not going in the way I did the first time—just for sheer devilment and curiosity. I have seen this game for two years, and I still like it and feel that my place is here.

"So much for that, I want to thank you from the bottom of my heart for all your loving kindness to me. This war has done wonders to me and makes me realize lots of things I would not have done otherwise. I could write a book about it, but you know what I mean.

"Good-by, dear father and mother, and all of you. Again I say that I am proud to be where I am now.

GORDIE."

Shall fathers and mothers like these be left to a haphazard policy of rendering service?

On the day before yesterday I was soliciting in St. Paul subscriptions for the Second Liberty Loan, working with a team of business men. I approached a young woman seated at a typewriter in an office in one of our big office

buildings. Yes, she was interested in the Liberty Loan, in fact she was vitally interested. Her husband is in military service now. She had bought a Liberty Loan Bond on the first issue, and she was supporting a family by her work. She added with a sad smile: "You can see that I really am interested in the Liberty Loan Bonds." Do we need to argue for a nation wide attempt so to organize the sympathy and intelligence of our community that other women like this brave little woman will receive the cheer and the encouragement and the assistance they need and must have?

While theoretically our government is accepting only men without dependents, we know that where the possible or probable dependents testify to ability to get along alone that such candidates for enlistment are accepted: we know further that that provision applies only to the army and not to any branch of the naval service; we know further that even when our regular army in times of peace is recruited, the same rule applying, that approximately one-fourth of our enlisted men do have dependents.

Then again the going of a responsible male unit from a family is quite liable to create problems. Even if the family has financial support the absence of the "man of the house" is keenly felt. He has paid the rent, or he has attended to the insurance, or he decides about the kind of house the family will live in and attends to the moving. He does all the incidental repairs around the premises. He decides whether Johnnie shall go to school another year or go to work. He is usually the disciplinarian of the household. Furthermore he is the husband and the father, or he is the big brother. His place

at the table is empty. He does not go away in the morning and come back at night from his work. He is missed. The method of life and the standard of living are gradually changed; insidious temptation creeps in; attention of one kind or another may be bestowed, and not always with the best of motives. A tendency toward disobedience leading to delinquency appears on the part of the growing boys; truancy becomes a little more common. The mother finds herself in a position in which she was never placed before. The daughter is sent to work to supplement the income, and this may be in entire discord with the traditions of the family. To be sure, the binding, grinding nature of the family's loneliness has certain compensations in the thought of patriotic sacrifice. It must be remembered, however, that human nature is fallible and breakable. The strain must not be too great. What of our sisters and our mothers and our children? Not alone do they need money to help, but it must be seen that the experience of the warring countries of Europe in regard to delinquency is not duplicated here. Organized effort is necessary to see that a child's life is not threatened by arduous labor, and that educational opportunities are made possible, that girlhood is kept sweet and wholesome, that the lives of our suffering mothers are upheld by very tactful, yet effective supervision and assistance, in the name of an appreciative country.

II. The Organized Machinery for the Performing of This Desirable Service.

The answer to the question: "Who will render pecuniary assistance and social service to the families of men in our military and naval forces?" is two-

fold. The government itself recognizes its obligation and its opportunity. The bill which has recently passed the Congress of the United States, popularly referred to as "The Soldiers and Sailors Insurance Bill" provides family allowances for dependents, provides compensation for death or disability and also allows for voluntary insurance against death or total permanent disability. This is recognized as very desirable legislation. Some exception may be taken, and indeed is taken to the graduation of amounts allotted by the government, to the principles involved in certain compensation features of the law, and to the wisdom of the government in entering into competition with Old Line insurance companies on voluntary insurance. In the main, however, the public looks with great appreciation upon the recognition by the United States of its obligations to its soldiers and sailors.

The pay of a private is thirty dollars a month. The private soldier must necessarily assign to his family a minimum of fifteen dollars and a maximum of sixteen dollars and fifty cents a month, unless the wife of the man satisfies the government that she can support herself and children, and unless the man shows good cause, such as the infidelity of the wife, why he should not so assign his pay. Of course in addition to this compulsory assignment of wages he may assign further portions of his pay to designated beneficiaries, as provided for by the War and Navy Departments.

In addition to these allotments monthly allowances will be paid by the United States to the immediate families of men in service, as follows:

Wife without children.....	\$15.00
Wife and one child.....	25.00
Wife and two children	32.50
For each additional child.....	5.00
No wife, but one child.....	5.00
No wife, but two children.....	12.50
No wife, but three children.....	20.00
No wife, but four children.....	30.00
For each additional child.....	5.00

There is also a different schedule of allowance to be paid to other persons who may be specified by the enlisted man. The maximum allowance, however, to the members of the family of any one enlisted man is fifty dollars a month. The law is not retroactive, no allowance being made for any period preceding November first, nineteen seventeen. It will be seen accordingly that a dependent wife and two children will receive fifteen dollars from the enlisted man's pay, and thirty-two dollars and fifty cents additional from the government, making a total of forty-seven dollars and fifty cents per month. This, so far as a family of this size is concerned, is generous treatment on the part of our country.

Allowances are made also on the compensation principle for death or disability. These schedules are as follows, in case of death:

For a widow alone.....	\$25.00
For a widow and one child.....	35.00
For a widow and two children....	47.50
For each additional child up to two	5.00
No widow, but one child.....	20.00
No widow, but two children.....	30.00
No widow, but three children.....	40.00
Each additional child up to two....	5.00
For a widowed mother.....	20.00

There is also a schedule for monthly compensation for total disability, as follows:

If neither wife nor child living....	\$30.00
If wife but no child living.....	45.00
If wife and one child living.....	55.00
If wife and two children living....	65.00
If wife and three or more children living	75.00
If no wife but one child living....	40.00
Each additional child up to two....	10.00
In addition, if a dependent widowed mother living.....	10.00

One element in this legislation worthy of note is the elimination of all distinction between officers and men, so far as disability and death benefits are concerned. For partial disability compensation is percentage compensation, based on the impairment of earning capacity.

In the voluntary insurance feature of the law, the Federal Government grants insurance against death or total permanent disability in any multiple of five hundred dollars, but not less than one thousand dollars or more than ten thousand dollars. Premium rates are to be the net rates based upon the American experience table of mortality.

It is readily seen then that the United States of America is trying to do its bit in the prevention of distress due to the war in which we are engaged.

The second answer to the question is involved principally in the American Red Cross. There are many organizations doing various forms of significant service, considerable in quantity, and commendable in quality, for wives and mothers of soldiers and sailors. I fear, however, no contradiction of the statement that the principal agency engaged in this humane work is the Red Cross.

The Red Cross is organized on a departmental basis with the following activities:

- Military Relief.
- Civilian Relief.
- Chapter Development.
- Nursing Service.
- Supply & Transportation Service.
- Publicity.
- Women's Work.
- Standards.

For administrative purposes the United States is divided into thirteen divisions, each division with a volunteer manager, (a business man of repute), and each division also working on the same departmental system as is Washington, the headquarters. Minnesota is in the so-called "Northern Division" comprising the states of Minnesota, North and South Dakota, and Montana. The work that we discuss now falls within the Civilian Relief Division of the Red Cross. The Civilian Relief is concerned with the rendering of assistance in all great calamities, such as earthquake, flood, fire, etc. and in what is officially called "Home Service" in the families of enlisted men. Home Service is the particular activity in behalf of wartime families.

In doing this work the Red Cross is the semi-official arm of the Federal Government. By proclamation President Wilson has so decreed, and has invited the earnest support of the entire country towards this work.

It goes without saying that it is no small task to build up a machinery very largely with the use of volunteer workers to take care satisfactorily of the domestic problems created by the departure of a million men from our shores. The Red Cross, however, faces a proposition just like this. Their plans

center about the use of well trained volunteers for the rendering of Home Service to families, and the treatment of these families as a group distinct from the beneficiaries of established charities and philanthropies, though in close co-operation with existing social machinery—all under skilled direction.

As a means of training volunteers the Red Cross has established close co-operation with State universities and other educational institutions, and has arranged for institutes in twenty-two cities. The method of these institutes is to offer a six weeks course involving at least four hours per week of classroom lectures, and twenty-five hours per week of field work in the rendering of actual service. Instructors are men of theoretical and practical experience, and receive no pay. Institutes are being given, or will be given in the following cities: Atlanta, Ga., Baltimore, Md., Boston, Mass., Chicago, Ill., Cleveland, O., Columbia, S. D., Columbus, O., Denver, Col., Indianapolis, Ind., Milwaukee, Wisc., Minneapolis, and St. Paul, Minn., New York City, N. Y., Philadelphia, Pa., Pittsburg, Pa., Richmond, Va., St. Louis, Mo., Seattle, Wash., Springfield, Ill., Washington, D. C.

In addition to these institutes training courses for volunteers will be given in various Chapters here and there throughout the divisions. The Red Cross officially says the following concerning the purpose of the institutes:

A Home Service Institute is a six weeks' training course for those who are to be engaged in the Home Service of the Red Cross.

"Home Service workers are called upon to be of assistance in specific ways to the families of the soldiers and sailors. Later on they will be called

upon to serve in equally specific ways returned soldiers themselves who have been crippled in action and for whom definite programs of re-education and industrial readjustment will be necessary.

"Work of this kind presents three important phases: effective personal relationships, the analysis of disabilities and powers in the families to be served and the use of various community resources for strengthening and enriching family life when it is more or less disorganized. Each of these phases requires the sure touch of the trained worker for its successful accomplishment."

III. How Can Our Municipalities be of Service in This Important work?

The Red Cross asks of the various communities nothing more than a sympathetic appreciation of the magnitude of the task laid by the government upon that organization. I have had the privilege of traveling in three different states in the interest of the Red Cross Home Service, and I have found everywhere that city and county officials do have this sympathetic appreciation. Mayors by proclamation can do much to aid in the work of the Red Cross. The use of space in public buildings is much appreciated by Red Cross chapters. The legal machinery of the city will be of great assistance in solving problems that are bound to arise when the head of the house is away. A definite understanding with public relief departments is essential. The general hospitals with dispensary facilities will surely be called upon. Some institutional problems may be created. The educational system of the city will be vitally affected by the departure of a large number of men, leav-

ing boys and girls at home without the customary parental discipline. Public recreational facilities are presented with bigger opportunities than ever. The expression of a social spirit on the part of the police force and municipal courts will vitally affect families of enlisted men.

Effective co-operation between the Home Service sections of local Red Cross chapters and public officials is dependent upon a thorough recognition by all parties of the cardinal principle in Red Cross administration of relief and social service. That cardinal principle is that trained volunteer workers, in a well planned organization shot through with sympathy and loyalty to country, must tactfully meet the social needs of the heroic home folks who send their sons and their brothers, and their fathers and their husbands and their lovers into the struggle to preserve that Liberty which shall enrich not only us in the United States of America but the whole world of human brotherhood.

HOLD YOUR LIBERTY BONDS

The effort to separate Liberty Bond holders not familiar with stock and bond values from their Liberty Bonds has taken a new turn. The manipulators instead of offering to buy the bonds at inadequate prices offer in exchange for them the stocks and bonds of various wildcat corporations, whose face value is large but whose actual value is little or nothing.

The advertisers have something of value for municipalities, or they wouldn't use space in these columns. Perhaps some of them could serve your city now.

The Age of Innocence

When we were babies we did baby things. We sat in a high chair. We talked "baby talk." We did a thousand and one things that only babies do. We did these things because our baby natures and our environment limited us to them. As babies grow up from the simple environment of a mother's care to the stern realities of the world, they gradually learn to cast aside childish things and take on adult pursuits.

Governments Grow Up, Too

From a simple pioneer nation separated from the rest of the world by a month's journey, we have developed a national life of great complexity, and have grown to be a great world power. Our shores are only five days from Europe and our armies are the decisive factor in a great World War.

Our governmental methods ought to change to meet these new conditions. The methods once used by the various units of our government may have suited former times, but we have long out-grown them. To urge the retention of the older practices today, is as absurd as for a grown man to insist on playing with a rattle.

The Fetish

Yet, strange to say, many of our governmental units have not discarded childish practices. They have clung to the old forms with an almost religious awe. The hoariness of the devices and the mumbo-jumbo with which they are surrounded have given them the likeness of the totem-pole.

This is particularly true of governmental financial practices. An excellent example of these venerated devices is that known as "appropriations."

Briefly stated, an appropriation is the setting aside, formally or officially, as by a legislative body, of money or other property for some particular purpose. The term is also used to mean the money or property that has been set aside.

Now, appropriations sprang up as a financial device of governments many, many years ago, at a time when the financial problems of governments—and of individuals, as well—were vastly simpler than they now are. At that time book-keeping, to say nothing of accounting, was hardly worthy of the name. In those days business transactions were infinitesimal compared to the business transactions of today. Then cash was the almost sole consideration of governments, as it was of individuals, and there were no democratic governments such as now spread over the world.

It is no wonder, then, that the setting aside of cash to meet the cash needs of the immediate future seemed to answer the needs of governments. Whether or not appropriations were a suitable device in the past, the fact today is that they are barnacles on the sides and bottoms of the financial ships of our present-day governments. And barnacles, whether they be on sea-going ships or on the ship of state, simply must be removed.

A Look At Appropriations

Appropriations bear no definite relation to any one of the several elements that tell the financial story. They bear no definite relation to receipts, to disbursements, to liabilities incurred, to property acquired, to expenditures, to revenue, to expense, or to net worth.

The only thing that all appropriations have in common is that they reserve or set aside money or other property for some particular purpose, either specified or implied. In addition to this common characteristic, appropriations have a number of widely dissimilar attributes. As a rule, most appropriations carry with them an authorization, either specified or implied, to someone to pay out the money, or otherwise dispose of the appropriated property, upon the happening or non-happening of some event. And most appropriations carry with them an implied authorization to someone to incur liabilities (purchase materials, supplies, services, etc.)

Their Diverse Species

Some appropriations set aside money for the payment of liabilities already existent (bonds, notes, accounts payable, etc.) Some set aside money for the payment of liabilities that will accrue without any further action on the part of the government (interest that will accrue on the government's debt, for example). Some set aside money that is actually on hand, whereas others set aside money that is expected to be received in the future. Some set aside money that belongs to the government, whereas others set aside money that the government holds merely as an agent.

Some appropriations virtually create liabilities (e. g., those that set aside money for the payment of what are known as "moral claims"). Some appropriations authorize a mere transfer of money from one fund or pocket of the government to another fund or pocket of the government. Some appropriations authorize the disbursement of money only once; others carry with

them the implied authorization to disburse the same money over and over. Some appropriations set aside money that will be used almost immediately; others set aside money that will not be used for months, or, as often happens, for years.

Some appropriations are for the acquisition of property or for the payment of debt; others are for pure expense, for which no permanent or subsequently convertible value is received. Some appropriations are never used; others are completely used.

Notwithstanding all these and many other differences between appropriations, almost everyone talks of appropriations as though they really told something about the financial situation. And in the case of most governments their accounting systems consist of little more than appropriation accounts. Even the relatively few governments that have adopted accounting systems approaching the standards in use in private industry, speak as though appropriations were really significant in themselves.

To Clear Away the Fog

One of the best things that could happen to governments would be for them to discontinue making appropriations. It would be like a sudden and rapid lifting of a dense fog on the broad ocean. Doing away with appropriations would enable one to see clearly through the great mass of confusing and unimportant details in which governmental finance is now enmeshed, to the big, vital, significant factors that now are almost invisible.

A Legislative Attempt

This was one of the several objects of the budget bill which the Charter Revision Committee introduced in the

1917 session of the Legislature, and which was highly endorsed by the Philadelphia Chamber of Commerce, the Philadelphia Board of Trade, the Committee of Seventy, this Bureau, and several other organizations.

This bill would have enabled Philadelphia to cease making appropriations and to reap numerous benefits as a result. To take the place of the one thing in appropriations with which the legislative body is really concerned, "authorizations to incur liability" would have been substituted.

The Ends Sought

In this way, appropriation accounts would have been eliminated; attention would have been called forcibly to the fact that neither the total of a government's appropriations, nor the amount of appropriations used, means anything of consequence; **that it is the legislative body's business to limit the amount of liabilities to be incurred**, for which cash later will have to be paid; that it is the executive's business to pay liabilities when they fall due; **that all cash in the**

treasury should be available for all cash needs, instead of carrying millions of dollars of appropriated money in bank at a low rate of interest, while borrowing millions more at a much higher rate. Emphasis would by this means have been laid on the facts that **the thing that counts most in a government's finances is the relation between revenue and expense, or the increase or decrease in the government's net worth**; that the accounting system should focus attention on this really significant thing; and that with this done, many very important improvements and simplifications in the accounts and finances of the government would follow in quick order.

As a result, officials, legislators, and citizens would have usable information concerning the finances of their common undertaking, instead of the confusing, relatively meaningless information that they now receive. Had the bill passed we should now be one step nearer the ideal in our local governmental finance.

—Citizens' Business, Philadelphia.

Notes of the Municipalities

The governing interests in the Little Falls Water Power Company have been sold to the principal stockholders of the General Light and Power Company of Cloquet.

Minneapolis has hired Milo R. Maltbie, of New York, to make a survey of the property of the gas company, preparatory to new franchise negotiations.

Duluth commissioners recently ordered some extensions of water and gas mains, and of sanitary sewers.

Red Wing's policemen recently requested an increase of ten dollars per month in salary. It was granted by the council.

Albert Lea council held up the Minnesota Gas and Electric Company's bill for July lighting for a time, because it was over a hundred dollars higher than usual.

This year, as every year, **St. Paul** finds her schools handicapped by the limitation of expenditures to six dollars per capita of the city's population.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota,
E. L. BENNETT, Secretary

The Municipal Reference Bureau is at the service of all Minnesota municipalities for the answering of questions concerning municipal government and administration, for making researches, drafting ordinances, and sending suggestions to municipalities with particular problems. A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

Preventing Freezing in Tank Riser

Question: Our water tank has a four foot riser pipe and in severe weather it freezes. Have been told that if we run a stream of water back in the well sufficient to keep the water moving that it would not freeze. Do you think it would harm the well in any way? Can you give us any information along that line?

Answer: By all means do not turn any water from the tank back into the well. There is too much danger of polluting the well by this process. I very much doubt that the State Board of Health would permit such a practice. You can keep your riser from freezing by putting steam pipes around it for use during severe weather. It would be well to build a box around the riser so to economize on the heat needed. Another practice that has been used is to keep a small stove going at the base of the riser, permitting the heated air from its surface to rise through the box enclosing the riser. If your steam plant is located conveniently to the water tank it appears to me that it might be possible for you to arrange to discharge your exhaust steam into such a box, and thus to keep your riser from freezing at very slight expense. By any of these means your cost would be probably less than if you turned water from the tank back into the well or out

upon the ground. The reason for this is, of course, that such a waste of water would mean extra pumping, and extra pumping means extra fuel and labor and other pumping expenses.

Vocational Education

Question: Would you kindly furnish me information relative to any action our State Legislature has taken with respect to the Smith-Hughes Act, providing for the establishment of vocational education? Has our State Board of Control, for this work, been organized? If so, where would letters of inquiry reach them?

Answer: We have received your letter of September 16, inquiring what action Minnesota has taken relative to the Smith-Hughes vocational education act. The Legislature accepted the provisions of that act in chapter 491 of the Minnesota Session Laws of 1917. You will be able to find a copy of the Session Laws in any attorney's office, or perhaps in your Public Library, or the Secretary of State will send you a copy upon application. The mailing weight of the volume is four pounds.

The State High School Board has been designated as the State Board called for in the Smith-Hughes act, and may be addressed in care of the State Department of Education at St. Paul.

APPORTIONMENT OF PLANT EXPENSES OF JOINT HEATING AND ELECTRIC STATIONS

Being a reprint of a bulletin of the Municipal Reference, Bureau, General Extension Division, University of Minnesota

There are probably three or four main methods followed in apportioning plant expenses of joint heating and electric stations. They are in the main as follows:

1. Charge the heating department with only the additional expenses over and above what it would cost to produce the electric service alone. This method considers the heating business somewhat of a residual nature.

2. Charge the electric department with only the additional expenses over and above what it would cost to produce the heating service alone. This is the attitude taken where plants are built primarily for heating purposes and consequently the cost of electric service consists only of additional expenses.

3. Apportion the expenses, especially of fuel, on the basis of B. T. U. absorbed by each department.

4. Apportion actual joint expenses on the basis of the ratio established by similar expenses for efficient hypothetical plants operated independently. For example, a plant rendering joint heating and electric service might cost \$2,000 to operate. To render the same amount of electric service from an independent plant might cost \$1,500; and heating service \$1,000. The apportionment ratios would then be 1500/2500 for electric and 1000/2500 for heating. In other words, we would determine from the demand and output of the electric plant, the size of boiler plant required,

the amount of fuel needed to generate the steam required by the actual engines, or possibly even more efficient engines, to produce the plants' electrical output independent of the heating business, the amount of labor and other expenses necessary to operate a plant of this size.

In like manner for the heating business, the amount of boiler capacity, fuel for steam, labor and other expenses would have to be determined as for an independent plant. The sum of the expenses of the two hypothetical plants would, of course, exceed those of the joint actual plant, but these expenses would establish the ratios upon which the expenses may be apportioned. Each department would then share proportionally in the saving effected by joint operation.

In some cases, this method might result in loading a department with more than it can bear. The heating department might have an unsuccessful career if operated alone and might be unable to make ends meet even when receiving its share of the saving due to joint operation. In this case, the electric department would have to sacrifice some of the saving that it is entitled to, unless it is in an equally precarious position.

Duluth has collected wheelage tax on over twenty-three hundred motor vehicles, and the city license inspector estimates that two hundred more are still to be paid upon.

The **Hennepin County** board of equalization has done a new and sensible thing, by making personal inspection of property in various parts of the county, for the purpose of checking the assessors' valuations.

	Population 1910	Buildings			Fire Alarm System		Fire Department Personnel		Water Supply Available				Hose								
		Area built up	Construction	No. having sprinkler system	No. having tanks	Hand fire extinguishers	General alarm	No. Fire Boxes	No. members	Drill	Paid	Capacity of Reservoir or Standpipe, tank	Pressure lbs.-sq. in.	Size of Main	No. Fire Hydrants	Hook and Ladder*	Hose Cartst†	Chemical Extinguishers†	Pieces	Total Length in feet	Engines or Pumps
Alden	544	1000	bw			few	Bl.		20	ms	hs	40 M g	65	6	14	1			25	1250	1 ga.
Arlington	733		w			3	Bl.		50			50 M g		10	25	1				2000	1 ga.
Atwater	801		w			5	Bl. & SI		20			45 M g	40	4, 6, 8	8	1				3000	1 ga.
Bagley	562	1 ml.	bw			10	Bl.	1			-hs	2000 bbls.	80	6	18	1			28	1000	1
Brown	509	1/2 ml.	w			all	Bl.			2 m	np	2500 bbls.	50	4-12	17	1		12	20	1400	1 ga.
Carlton	571	2000	w			some	Bl.		75	m		50 M g	55	8	17	1		18	30	1000	1 ha
Carver	571	2000	w			8	Bl.	1	22	2 m		400 bbls.	55	6, 8	6	1			24	1200	1 ga
Clarkfield	603	1/2 ml.	w				Bl.					e. t.									
Cohasset	521		w				Bl.		35		\$1 r. hs	1400 bbls.	59	8	20	1			50	1000	1
Deer River	900	sc	w				Bl.		0			2 M g	78	6, 8	22	1			22	1000	1 ga.
Eden Valley	740	1600	w			few	Bl. & SI	9	9	3 m		60 M g	32	4, 6, 8	20	4			50	1000	1 ga.
Elbow Lake	775	1/2 ml.	w				Bl.		25			100 M	120	6	15	1			24	1200	1
Elmore	795	1/2 ml.	w			50%	Bl.	1	25	m	\$1.00	75 M g	54	6, 10	39	1 tr			32	1100	1 ga.
Fairfax	710	1150	bw			17	Bl. & SI	1	34	3 m	\$5. yr.	80 M g	45	6, 8	10	1 tr			328	1600	1 ga.
Gibson	533	15 bk	w			20%	Bl.		19		f. 75	81 M	70	4, 6, 8	24	1		few	32	1600	1 ga.
Graceville	587	1720 bk	w				Bl.		20			2 M bbls.	45	4, 6, 8	17	1					
Grand Meadow	552	1380	bw			2	Bl.		20												
Harmony	655		w				SI		20		np	65 M g	20-90	4, 6, 8	14	4			20	1000	2
Hawley	800	4800	bw			few	Bl.		22		np	2 M bbls.	45	4, 6, 8	20	1			1	1000	1
Hayfield	580	3200	w			25	Bl.		20	m	np	2 M well	160	8	50	1			2	1000	1
Hector	866		w			few some	Bl.		35	m	f. 25	50 M g	55	4, 6, 8	23	1			34	1700	1
Henning	603		w			5%	Bl.		23	m	d	50 M g	45	4, 6, 8	23	1			30	1500	1
Howard Lake	626		w			4	Bl.		12	an or sa		2 M bbls.	80	4, 6, 8	20	1			16	800	1
Lake Park	740	1600	bw			10	Bl.		22			e. t.	58	8	15	1			32	1600	1
Le Roy	702		bw			25	Bl.		24	sm		100 M g		8	35	3			30	1500	1
Lyle	552	6400	w			15	Bl.	1	25	3 m	f \$100	2 M bbls.	35	8	21	1			32	1600	1
Mabel	549	380	w			12	Bl.		40	sa	d f. 50	river		6, 8	27	1			700	1	
Mapleton	809	12800	w			7	Bl.		0	ms		30 M g		4, 8	15	1			1800	1	
Marine	526	6400	w			8	Bl. & SI		25			60 M g	70	6, 8	20	1			1200	1	
Minneapolis	819	1600	w			50%	Bl.		30			2 1/2 M g							1500		
New Market	901		w				Bl.		45	m	np	1900 bbls.	60	4, 8	9	1			15	750	1
North Branch	642	3600	bw				Bl. & SI		32	m		60 M g	40-110	6, 8	18	1			20	1000	1
Paynesville	901		bw			70	Bl.		24	m		2 M g		8	8	1			30	1500	1
Pine Island	834		bw			25	Bl.		45	m		100 M g		4, 8	6	1			15	750	1
Richmond	663		w			3	Bl.		30	m		100 M g		6, 8	12	1			20	1000	1
Robbinsdale	765		w			12	Bl.		24	m		1800 bbls.	45	4-10	9				30	1500	1
St. Joseph	706		w			few	Bl.		30		hf	50 M g		4-10							
Sacred Heart	587	12800	w				Bl.														
Taylor Falls	454	3600	w				Bl.														
Watson	365		w				SI														
Warroad	327		w				SI														

Fire Risks and Protection in Forty-four Minnesota Villages and Small Cities

In the tables on the opposite page are presented the facts reported upon a questionnaire circulated by the Municipal Reference Bureau of the University of Minnesota, from the municipalities having in 1910 a population of fewer than one thousand. Only forty-four such reported; twenty-six having from one thousand to two thousand reported; seven having from two to three thousand; and Hastings and Winona, of those having larger populations. The data furnished by the groups of larger municipalities will be supplied in mimeographed form, upon application to the Municipal Reference Bureau.

A blank space in the table ordinarily means no report, but sometimes "none" or "never" was actually reported. The key to the letters used in the table is given below.

KEY: a, acres; ml, mile; sc, scattering; blk, block; b, brick or stone; w, wood; bw, brick or stone, and wood; Bl, bell; sl, siren or whistle; ms, monthly in summer; m, monthly; 2m, bi-monthly; 3m, quarterly; o, occasionally; an, annually; sa, semi annually; hs, per hour in service, at number of cents per hour indicated by figures; f, per fire, at amount indicated by figures; \$fr, dollar per run; np, not paid; d, for time on duty; df, for time on duty at fires; hf, per hour at fires; Mg, thousand gallons; bbl, barrels; e. t., elevated tank; *, In several cases it appears that the department has only ladders, which are carried by hand, most of the rest seem to have hand carts; tr, truck; †, hand propelled; (1) one truck also, probably the same as reported under hook and ladder; ††, hand extinguishers in all but a few cases, it seems; § 400 feet of old hose included; ga, gasoline; ha, hand pump; st, steam.

Lower Profits for Utilities?

In giving the Pacific Power & Light company, of Lewiston, Idaho, permission to advance its rates temporarily the public utilities commission, in its order, has adopted the policy of allowing public service corporations to increase charges during the war because of the necessity many are put to meet operating expenses. The Lewiston company wanted to increase its rates materially. The utilities commission after an investigation agreed to a slight advance in prices charged for gas with the understanding that a new ruling would be forthcoming after the war. In the opinion of the commissioners many of the public service corporations which made a fair return from money invested before the war now find it difficult to meet expenses. When passing on the Lewiston company's application the commission said: "There will no

doubt be some increase in expenses on account of increased costs of labor and materials, but the commission does not feel that it must authorize such increase in rates as will permit the company to declare the same dividends as were earned in the past. We are living in unusual times. All are called upon to forego many pre-war privileges and luxuries, and the commission believes that the stockholders of the company should bear a portion of the increased burdens incident to the war."

—Municipal Journal, (New York).

Alma, Mich. proposes to build a two-story and basement fire station in which headquarters will be provided for the truck drivers and their families. Fire apparatus will occupy the ground floor, and the street department the basement.

Delivering Bills

The Indiana Railways & Light Co., by having its metermen deliver electric light bills, is saving approximately \$1,000 per year. Before the war the company was mailing its bills at a cost of \$11 per 1,000. This includes postal cards and printing. It is today delivering in person at a cost of \$10.60 per 1,000, including paper stock, printing and labor. Had it continued to send the statements out by mail the cost would be \$21 per 1,000. The labor item figures 0.74 ct. per statement delivered.

Further information regarding the practice of Indiana electric light companies is given in the *Electrical World* by Mr. O. M. Barker. Questionnaires were forwarded to 43 leading member companies of the Indiana Electric Light Association, representing 56 different properties. Twenty-eight re-

plies, representing 39 properties, were received. The first question was, "Do you deliver by mail, in person, or are bills held at office?" There were 34 replies, divided as follows: By person, 15; by mail, 8; bill held at office 11. One reported that bills were made out and left by readers. Question number two asked for the cost per statement delivered by person. There were 12 answers. The average was 0.89 ct. each. Question number three asked, "Do you have many complaints from customers where bills are delivered in person?" All answered, "A few." In seven cases the meter readers did the delivering, in two cases office clerks, in two cases young boys, and in one case an office girl. It is of interest to note that where boys were used the cost per statement averaged only 0/49 ct. each. —Engineering and Contracting

Should a Steam Boiler Be Covered?

By F. Webster Brady, Electrical and Mechanical Engineer, Scranton, Pa.

From *Municipal Engineering*.

It often happens when equipping a power plant that some very excellent apparatus is selected, but it is installed in a way that prevents its full efficiency from being attained. In case the theoretical expectations are well known, the results will cause disappointment. In fact many engineering ventures are wrecked because they are built on a half-truth for a foundation. In most instances, however, the losses are not realized, owing to those in authority not having an engineering training. They operate with the peaceful idea that "what you don't know doesn't hurt you."

An illustration of a loss with satisfaction is shown by the case of a marine type of boiler as found in a municipal water works plant. This boiler has been operated for several years without any covering. Its purchase was recommended by the plant operator, when an extension of the water works became necessary, as it was claimed that this boiler was selfcontained and complete so that no extras would be needed to install it. Also, by means of its two three-foot Morrison furnaces the fire is "inside the water," which gives a greater efficiency.

Thereupon, an exact appropriation

was made by the City Fathers to cover its purchase and installation ready for service. As the boiler is of high-grade workmanship, there has been no trouble in its operation, and everyone has been satisfied—excepting for one little ripple on the sea of municipal happiness.

An agent for boiler coverings came along one day and tried to show the "powers that be" what a great saving of fuel would result from covering the boiler. The estimated cost of the covering was \$150. However, it was not purchased for several reasons: First, the boiler had been bought as a complete unit and all the appropriation was expended; second, the fireman said he could easily keep up steam, and the boiler was so efficient that a covering was not necessary; and third, no one could see any loss. So the matter was dropped and the plant has been operated without any interruption ever since.

However, a condition of this kind in a plant always brings up a question in the mind of the front-line engineer, namely, "Will it pay to cover this boiler?" After figuring out the problem the readers who are operating engineers will likely take a look over their plants to see if there are any economies possible. The plant herein described is not an isolated case by any means. It is a type that is quite common, and the subject of coverings does not apply only to steam boilers.

The following is one method of working out the problem:

Boiler diameter, 9 feet 6 inches; length, 12 feet. Area of boiler shell that could be covered, $9\frac{1}{2}$ by 12 by 22/7 feet, or 358 square feet.

To this area should be added about

12 square feet that could be covered on the ends, making a total of 370 sq. feet.

Steam at 175 pounds gage has a temperature of 377 degrees Fahrenheit, and if the average boiler room temperature is 77 degrees, the net difference will be 300 degrees. Tests have shown that the heat loss from uncovered boiler plate is as much as 3 B. t. u. per degree difference per square foot per hour. Also, it has been found that a good covering will reduce the loss to about .4 B. t. u. Therefore, the gain from the covering in this case would be (3 minus 0.4) by 300, or 780 B. t. u. per square foot per hour. The total heat saved per hour will be 780 times 370, or 288, 600 B. t. u.

This plant is operated 18 hours per day, and the fires are banked for 6 hours, and for half time, or 183 days per year. The estimated heat loss per year that could be saved by the boiler covering is 288, 600 times 183, or 949, 648, 400 B. t. u.

The coal used is an excellent quality of run-of-mine bituminous, costing \$2.25 per ton delivered. With a boiler efficiency of 70 per cent this coal will surely produce as much as 9,500 B. t. u. per pound. If so, then the yearly loss is equivalent to 949,648,400 divided by 9,500 and multiplied by 2,000, or 50 tons. This coal costs \$112.50, or nearly the same as the boiler covering. It should be understood that this estimated saving might not be entirely realized in practice. The boiler covering would either deteriorate or become cracked in service and less heat would be saved. It seems possible, however, to save from \$75 to \$100. If so, is it worth while to cover this boiler, or any other one doing similar duty?

Notes of the Municipalities

Princeton is to vote upon selling its municipal light and power plant to the Elk River Power and Light Co., which would then accept a franchise and furnish current to the village.

Albert Lea has applied Tarvia and sand to several blocks of wood block paving.

Commissioner Oscar Keller, of **St. Paul**, has a plan for a municipal ice plant, which he believes would reduce the cost of ice to consumers in that city by a sixth in 1919, and by a third under normal conditions.

Winona gas rates were raised from \$1.25 to \$1.45 per thousand feet August 1. The franchise, held by the Wisconsin-Minnesota Light and Power Co., would permit a \$2.00 rate.

Canby is to erect a municipal flag pole.

St. James has let a contract for twenty-seven hundred square yards of asphalt paving.

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Alderman John Peterson, **Minneapolis**, has introduced an ordinance to submit to popular vote a plan for a municipal milk market.

More than 3000 water meters have been received by the Water and Light Department of **Hibbing**, and are being installed.

Senator George H. Gardner, of Brainerd, President of the Minnesota State Tax Conference, has appointed the League's former president, J. N. Nichol森, Austin, member of the Conference's executive committee for the First District. Other members are: H. C. Krause, Vernon Center, Second; W. M. Kunde, Stillwater, Third; E. L. Powers, St. Paul, Fourth; W. L. Harris, Minneapolis, Fifth; O. G. Mason, Remer, Sixth; Samuel Nelson, Willmar, Seventh; M. B. Cullum, Duluth, Eighth; Frank E. Johnson, Mahanomen, Ninth; A. C. McNeil, Dayton, Tenth.

St Louis County will contract a new road from **Virginia** to **Tower**, to be known as State Highway No 7.

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Brewster		McKinley	Oslo	Sandstone	Walnut Grove
Brooklyn	Gilbert	Madelia	Osseo	Sartell	Warren
Buhl	Glenwood	Mankato		Sauk Centre	Wells
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MINNESOTA MUNICIPALITIES

Devoted to Municipal Progress in Minnesota

VOL. III

DECEMBER, 1918

No. 6

In This Issue

**REPORT OF THE COMMITTEE ON
JUDICIAL DECISIONS**

SPANISH INFLUENZA

REPORT OF THE SECRETARY-TREASURER

STREET RAILWAY FARE CASE

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Editorials

Taxation by Oversight	173
Reconstruction Begins	174
After the Fires	175
The Home Market for Municipal Bonds.....	175
Convention Dates	175
Report of the Committee on Judicial Decisions	175
What We Have Learned on Control of Spanish Influenza	181
Sanitary Suggestions Regarding Bathing Beaches.....	182
Report of the Secretary-Treasurer	183
Selecting an Economic Paint	188
Does Road Oiling Pay?.....	191
Decision in the Columbus Street Railway Fare Case.....	192
Information Department	
Compensation of Employe; Physician's Claim	197

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DECEMBER, 1918

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Taxation by Oversight

It is a fundamental principle in American Government that neither the Federal Government on the one hand nor the state and local governments on the other can tax or be taxed by the other, either directly or indirectly. So far as we know, this principle is observed strictly by the state and local governments. The duties and imposts levied by the Federal Government operate indirectly and in part to increase certain expenditures of the other governments, but in indefinable amounts. But the federal revenue act of October 3, 1917, contains a provision, effective since November 1, 1917, under which states, counties, and municipalities have been paying a very appreciable sum as Federal taxation. It is in the item of first class postage. The extra cent was added not at all as charge for the postage service, but as an outright excise tax. First class postage at the old rates was more than paying it way; it overcame the notorious deficits incurred by second class mail matter, and generally earned enough more to leave a surplus. The revenue act imposing the increase directs that its proceeds be turned into the treasury directly, as revenue. Under these provisions states and municipalities have been paying, along with other users of the mails, excises of fifty and a hundred per cent on large parts of their postage bills. Whether the feature described was foreseen when the bill was in Congress we do not know. Apparently no efforts were made to correct it, although it would seem possible to do so rather easily, by an adaptation of the penalty envelope. Now that the war is ended any considerations which may have justified such taxation of funds which themselves are the proceeds of taxation cease to have any force whatever. If the postage tax is to be removed altogether that will take care of it. If the extra cent charge is to be continued, Congress at least should provide an exception in the case of matter mailed by other governmental bodies.



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Reconstruction Begins

The cities and villages did much to make possible the successful prosecution of the war to an early end: They gave unstinted aid in the task of enrolling armies; they postponed needed public improvements so that more materials and more labor should be available for supplying those armies; they submitted to diminished services and increased rates from public utilities upon the representation that such submission was a war necessity. The catalogue of war services rendered would be a long one, were all the items told.

The period of reconstruction is here, sooner than we dared anticipate it. It must not be a period of relaxation, if municipalities are to meet their responsibilities, for those responsibilities are more exacting than when the highest duty was to co-operate with and to comply with the plans of the federal government. Now, in order to lessen the hardships of readjustment and perhaps to avert those of un-employment, municipalities must go forward with their normal activities, with their public works and public improvements, on a more extensive basis than ever before. And in this work the federal government cannot direct or participate; manifestly it will no longer ask suspension or postponement. The responsibility falls upon each municipality alone, and in co-operation with other municipalities in like circumstances.

Some municipalities have plans already made for these improvements which we know should now be undertaken. These should immediately get the work under way. Other municipalities should lose no time in having their plans made. In many cases it will be necessary to vote and issue bonds to finance such operations. But in Minnesota the council may issue securities for sewer construction without waiting for a popular vote. And there are but few municipalities which do not need sewer extensions or sewer systems: the sanitary collection and disposal of sewage is the major element in the unconditional defeat of typhoid. Other improvements—waterworks, street grading and pavements, street lighting systems, sidewalks and curbs—will follow in regular course.

If our municipalities promptly and resolutely undertake the projects mentioned they will be doing much to fulfill the expectations placed upon them. It is true that reconstruction in America does not in general total physical rebuilding. What it means is new construction and new building. The opportunities and the responsibilities are no less than imperative in either case.

After the Fire

France intends to rebuild every one of her hundreds of villages and cities which war has wrecked. But she does not intend to rebuild them haphazard, or as they were before. She will build according to plans which will utilize the best opportunities, and realize the finest possibilities of the localities. The plans for many are made already, others are making; and all are likely soon to be in process of execution.

Minnesota has some scores of villages and cities which have been devastated, not by an invasion of a foreign enemy, but by fires which Minnesota's own neglect made possible. These municipalities will surely be rebuilt. Minnesota has the opportunity to do as France is doing.

The Home Market for Municipal Bonds

Except for amounts so small as to be almost negligible, the Liberty Loans have been floated at home, and millions of Americans have learned what it is to buy government bonds. Before the war a number of cities had done much municipal financing by over-the-counter sales of bonds in small denominations to their own inhabitants. With the successful experience of every community in effecting a wide distribution of Liberty Bonds, and with the habits of thrift of thrift and saving planted so nearly universally, many municipalities can and should finance their own reconstruction improvements. The saving and investing habit is one to be fostered, and the home town's bonds may well take the place of the Liberty Loans. The municipality will have its public improvements without large outside debts, and the feeling of having themselves paid for them will be a wholesome one for the citizens to enjoy.

Convention Dates

As we go to press we are unable to make so much as a satisfactory guess as to the dates when the influenza-postponed convention may be held. Most of the local bans are lifted, and theaters, churches, and local organizations may freely meet. But an order by the State Board of Health forbids state wide organizations to meet, until such date as the Board may revoke its order. We are informed that the Board will hold a meeting December 17.

Report of the Committee on Judicial Decisions*

The Meetings of the League are becoming more important and instructive each year. A review of the decisions of our Supreme Court concerning Municipal Law is not only instructive but very necessary. It is highly important that the officials of our municipalities be thoroughly familiar with the law and decisions affecting the

various branches of City Government.

We therefore respectfully submit for your consideration and study the following decisions:

I. Delegation of Governmental Powers.

State Ex. Rel. Tri-State Telephone & Telegraph Co. Vs. Frank Oscar Holm. 138 Minn. 281.

As caretaker of the public streets a municipal corporation acts merely as

*Prepared for the Sixth Annual Convention of the League of Minnesota Municipalities.

a governmental agency. The legislature can any time modify, limit or revoke the agency granted the municipality in this respect. By Laws 1915, p. 208, c. 152, it took away from municipalities the power to license the occupation of the streets by telephone companies and placed it exclusively with the Railroad and Warehouse Commission. However, the regulation of the use of the streets by the companies so as not to interfere with the safety and convenience of the public travel thereon is still retained by municipalities.

City of St. Paul vs. Chicago, St. Paul, Minneapolis & Omaha Railway Company et. al. 138 Minn. 322.

A city, in the exercise of its police power, may compel a railway company to construct and thereafter maintain a bridge for the purpose of carrying a street over its tracks, if a bridge is necessary to enable the public to cross such tracks safely and conveniently.

The city cannot divest itself of any part of its police power by contract, or otherwise.

City of St. Paul vs. Great Northern Railway Company, 138 Minn. 25.

It is the uncompensated duty of a commercial railroad which intersects a public street to construct and maintain a bridge over its tracks when reasonable public necessity and safety demand. The use of a street for street railway traffic is a public use in aid of public travel. When the use of such street for a street railway line becomes an appropriate use of the street though it was not so used at the time the bridge was constructed, it is the uncompensated duty of the railroad to strengthen it, if this be necessary to

make it fit for such use. It does not discharge its duty by maintaining a bridge adequate for passengers and vehicle traffic, and for all traffic except street railway traffic, when the use of the street for street railway traffic becomes an appropriate and needed use.

II. Public Improvement

Soullwold et al vs. City of St. Paul. 138 Minn. 271.

Section 243 of the City Charter of St. Paul provides in part as follows: "No public improvement, the cost of any part of which shall be paid by assessment on the property deemed benefited shall be made if a petition of remonstrance as hereinafter provided is filed with the council at any time prior to the passage and adoption of the final order therefor.

"Such petition shall describe the improvement or improvements, and shall be signed by not less than sixty (60) per cent of the resident owners, or their agents, of such property aforesaid representing not less than fifty (50) per cent of the lineal frontage on the line of such improvements." It was held in the above case that the words "resident owners", applied only to parties owning property on the line of the improvement and residing within the city. It was also held that in the award of damages an assessment of benefit where the improvement, when considered in connection with the property affected is such that honest minds might differ, the apportionment thereof is a legislative function, and the courts will not interfere in the absence of a clear abuse of discretion.

James Brazil vs. County of Sibley.
In proceedings for the establishment of public improvements, authorized by

law to be heard and determined by local municipal boards and officers, all questions in respect to the propriety and necessity of the particular improvement are legislative in character and the determination thereof by the local tribunal is final and will be set aside by the court on the statutory appeal only when it appears that the evidence is practically conclusive against it, or that the local board proceeded on an erroneous theory of the law, or arbitrarily and against the best interests of the public.

III. Ordinances

Selma C. Bruce vs. T. I. Ryan. 138. Minn 264.

The provision of the Minneapolis traffic ordinance that vehicles upon certain designated streets shall have the right of way, at street intersections, over vehicles upon the intersecting streets is merely a traffic regulation and not one restricting the use of motor vehicles within the statute, and is not abrogated by the motor vehicle law (G. S. 1913. Page 2637.) But that law annuls all city and village ordinances regulating the use or speed of motor vehicles and undoubtedly abrogates all other municipal regulations which are inconsistent with it.

Schmidt vs. The Candy Co. & others. 139 Minn. 378.

Ordinance No. 2395 of the City of St. Paul provides as follows: Section 1 of the ordinance makes it unlawful for any person "to shoot or discharge any gun, revolver, pistol or firearms of any kind or description, or to shoot or discharge any preparation of chlorate of potash, mixture of sulphur and salt-peter, or other dangerous explosive or any mud cans, so-called, toy cannon,

loaded anvils or similar devices, or any giant or cannon crackers, or any fire-crackers exceeding four inches in length, or any kind of fireworks or explosives whatever, dangerous to persons or property, within or adjacent to city."

Section 2 of the ordinance provides: "That hereafter it shall be unlawful for any person or dealer therein, at any time during thirty days next preceding the fifth day of July in each year, to sell, expose or offer for sale, or in any manner furnish or dispose of to any resident of the city of St. Paul, or to any other person for use in said city, or to any minor person at any time, any blank cartridge, pistol or revolver, or any of the explosives, fire crackers or fireworks, the use of which is prohibited in section one of this ordinance, and all such acts are hereby prohibited."

It is held that Section two of Ordinance No. 2395 of the city of St. Paul considered and construed to prohibit the sale or disposition of such "fireworks and explosives" only, as are of dangerous character as explosives. The law requires of him who deals in articles inherently dangerous in the use for which they are intended, to refrain from placing the same in the hands of children of tender years, and where such sales are made and injury results, the seller is answerable for the consequences naturally and proximately resulting therefrom.

IV. Streets

City of St. Paul vs. Great Northern Railway Co. 138 Minn. 25.

The use of a street for street railway purposes is a proper street use. It is in aid of and facilitates public travel.

It is a mode of using the street by the public and such use does not impose an additional servitude upon abutting property.

Dorgan vs. The City of St. Paul. 138 Minn. 347.

This was an action to recover for personal injuries sustained by slipping and falling into a hole in the ice and snow upon a public street in the City of St. Paul. "The negligence charged against the defendant consisted of the act of its agents and servants in cutting the trench along the curb in such a way as to allow slushy snow to accumulate therein and conceal the excavation from view, and in failing and neglecting to guard or place signals so as to expose the situation," and it was upon this theory that the case was tried and submitted to the jury.

The court stated that it is a reasonable and common practice, during the breaking up of winter in a climate like ours, to cut such trenches in the streets for the purpose of getting rid of the water which accumulates from the melting snow. Nor is it deemed necessary, speaking generally, to guard them with danger signals. Such a requirement would place an impracticable and in many instances an almost unbearable burden upon the municipalities having the care of the public streets and ways. At this season of the year streets often, unavoidably, become almost impassable for a limited time on account of the melting snow.

The court held that it cannot be reasonably said that constructing the trench in question and leaving it unguarded was such negligence as to render the city liable. It follows that the defendant was entitled to a directed verdict.

Thoorsell vs. City of Virginia. 138 Minn. 55.

The use of the street outside of the sidewalk is primarily for traffic by teams and other vehicles, and the use of the sidewalk primarily for pedestrians; but they still have the right to use the street when the necessity arises. It has never been held, to the knowledge of the court, that they have not such right, or that the duty of a municipality to use reasonable care to keep the streets in safe condition does not extend to making them reasonably safe for pedestrians who have occasion to be upon that portion of the street ordinarily traveled by vehicles.

V. Notice to City

Engel vs. City of Minneapolis. 138 Minn. 438.

Under the charter of Minneapolis, the mayor has control and supervision of the police department and is empowered to make rules for the government of the department. Among such rules, in force 30 years, is one requiring the policeman to note all defects in streets from which accidents may occur and report the same to the officer commanding his precinct and requiring such officer to make a record thereof. For this period such defects have been reported by the police department to the officer of the city charged with the duty of making repairs, and the police have been furnished with lights to guard defective places at night until repair could be made. Held, that notice to the officer in charge of a police precinct of a defect in a street is actual notice to the city.

Anderson vs. City of Minneapolis. 165 N. W. 134.

A notice of claim under section 1786, G. S. 1913, for loss or injury sustained

on account of a defect in a public street, sidewalk, or public grounds of a city sufficiently states the circumstances if the defect causing the injury is pointed out so that a full investigation may be had.

It need not be as specific as the complaint in an action to enforce the claim but must assign the same defect as the cause of the injury. Under this rule, a "patch of ice," given in the notice as the cause of plaintiff's injury, is a sufficient designation of the circumstances to admit proof of "an uneven ridge of ice," the defect alleged in the complaint.

VI. City Property

Troska et al vs. Brecht et al. 167 N. W. 1042.

This was a case where two streets of the incorporated village of Minnesota Lake bordered on a meandered lake. Two streets had been in constant use for more than twenty years. An effort was made to have this lake drained, but the voters of the village had never authorized or approved the draining of the lake. It was contended that the village was not a riparian owner for the reason that it only had an easement in the streets, and did not own the fee of any land which bordered on the lake. It was insisted that in order to be an riparian owner the village must own the fee to a portion of the lake shore.

The court held however, that in view of the fact that the streets of the village extending to the lake gave the public the right to use the termini of the streets as a landing place in going to and from the lake, the village to that extent, as representing the public, possesses riparian rights, and made it a riparian owner within the meaning of the statutes providing, "No meandered

lake upon which any city or village is now a riparian owner shall be drained or lowered unless by the approval of a majority vote of the legal voters of said city or village at any annual or special election held for such purpose."

VII. Taxation

State vs. Chicago, St. P., & O. Ry. Co. 168 N. W. 180.

The facts disclosed that the defendant Railway Co. owns certain real property in the City of Blue Earth which is leased for lumber and coal yards. The uses to which the property are devoted are purely private and the land is not being owned or operated for railway purposes.

It is held that this property was subject to ad valorem tax and to an assessment of local improvements notwithstanding the fact that the railway company pays a gross earnings tax.

VIII. Criminal Law

State ex rel. Murray vs. Kelley, 167 N. W. 110.

In this case the city of Crookston and the city of East Grand Forks are both in Polk County and both have a municipal court. The relator was arrested and taken into custody under a warrant issued by the municipal court of Crookston for the City of East Grand Forks. He made a motion to dismiss the proceeding on the ground that the municipal court of Crookston had no jurisdiction of the offense. This motion was denied, and he then procured a writ of habeas corpus from the district court.

It is held that where a criminal offense is committed within a city having a municipal court, the municipal court of another city has no jurisdiction of such offense either for the purpose of trial or for the purpose of holding a preliminary examination.

IX. Eminent Domain

Board of Water Com'rs of St. Paul vs. Roselawn Cemetery. 165 N. W. 279.

This proceeding was instituted by the board of water commissioners of the city of St. Paul, under the charter of that city, to condemn certain land adjoining one of its reservoirs for use in extending its water works system. A part of this land belonged to the Roselawn Cemetery, a corporation. The land in controversy is located some distance from the land which has been actually appropriated to cemetery purposes and is not shown to be needed for such purposes. The contention of the Cemetery was that the land in question having already been devoted to a public use could not be taken for another public use unless the power to take it for the second use has been expressly given, or is necessarily implied in the power expressly given.

The court held that the rule above stated does not apply to property which has not actually been put to the first use and is not shown to be actually and presently needed therefor, and that the land in question was subject to condemnation for the use of the city waterworks.

X. Intoxicating Liquor License

State ex rel. Miller vs. Reiter. 168 N. W. 174.

At the last election the city of Rochester voted to license liquor selling and the city council granted a license to relator. The mayor refused to sign. This proceeding in mandamus was commenced to compel him to do so.

Defendant answered, admitting the foregoing facts, and alleged, in section 4, that the city council refused to investigate relator's character or his re-

cord, failed to determine that he was of good moral character or otherwise qualified to hold a license, and in section five that relator is not a person of good moral character, that within one year he had knowingly violated the laws of Minnesota and the ordinances of Rochester relative to the sale of liquor. In section 6 it is alleged that relator's bond was executed by a surety company already a surety on other license bonds.

The court held:

1. In the city of Rochester liquor licenses are granted by the city council. The mayor is required to sign all licenses, but he has no option to refuse to sign a license regularly granted by the council.

2. The issuance of a license is a matter calling for the exercise of judgment and discretion on the part of the council. Their discretion cannot be controlled or reviewed, nor can the mayor or the court dictate as to the manner or the fulness of their investigation.

3. The character, record, and fitness of the applicant for a license are matters for the council to pass upon.

4. A surety company is not subject to the provision of the statute that no person already a surety on a license bond shall be accepted as a surety on another.

Other cases have been tried and determined but most of them were determined on the question of the sufficiency of evidence and not on questions of law and for that reason are not incorporated herein.

Respectfully submitted,

Jno. R. Foley,

Chairman, Committee on Judicial Decisions.

What We Have Learned on Control of Spanish Influenza

We have learned that restriction of a part only of the many activities of modern life does not accomplish the restriction of influenza.

We have learned that the necessities of modern life demand that extravagant and costly partial restrictions of these activities, which do not really restrict influenza, be abandoned.

We have learned that restriction of influenza may be attained by a simple mechanical expedient, the universal wearing of masks. This is just the expedient that put out of action on a huge scale the "fearful," "overwhelming," and "unopposable" gas-attacks of the Germans.

Masks have been used for years by surgeons and nurses, to protect open wounds from the mouthspray of the surgeon and nurse; they have been used for years by medical men and nurses to protect themselves from the mouthspray of contagious patients. In the care of the pneumonic form of bubonic plague, the most fearfully contagious and fearfully fatal disease known, elaborate masks are essential, guarding the eyes as well as the nose and mouth.

A small fraction of the high cost, of the great loss, and of the disorganization inflicted by other measures of control of influenza, (which, however, do not control influenza) would provide not only the masks, but also a staff sufficient to see that they are used persistently and constantly, everywhere, by everyone, outside of private homes.

Within private homes the instinct of self-protection should be sufficient to insure proper precautions. The prac-

ticability of control by the public to protect itself ceases at the door of the private home—going in. It begins at the door also—coming out. What is done within the home cannot be controlled unless infected persons are present. What is done outside the home, however, should be controlled absolutely, with grim completeness.

We are disturbed by rumors of a second and more severe recurrence of influenza. We are warned—let us hope unnecessarily—to prepare for such a repetition.

Let us then prepare adequately, with proper appreciation of relative values, and let us avoid the feeble, reactionary and bound-to-be-found-out policy of doing something, never mind how silly, merely to satisfy a popular demand for action.

Let us do the thing, and then sit tight.

The thing is the restriction to each person of his or her own nose and mouth discharges; masks and clean hands will do this; no practicable amount of quarantine of the general population will.

Let us, therefore, abandon such "practicable amount of quarantine" entirely as futile, inadequate and farcical, and set the whole population back into its normal course of life, but wearing masks; with injunctions also on washing hands.

For those who become sick, the usual rules governing all communicable diseases should be enforced as a matter of course.

—The Minnesota Public Health Association Journal.

Sanitary Suggestions Regarding the Location, Construction, and Management of Public Bathing-Beaches

H. A. Whittaker

Director Division of Sanitation, Minnesota State
Board of Health

The proper location of a public bathing-beach is very important from a sanitary point of view. A body of water should be selected which is comparatively free from pollution, especially that of human origin. The physical properties of the water, which include turbidity, color, and odor, should be satisfactory. These facts should be determined by field and analytical surveys of the body of water selected. The volume of water should be sufficient so that dilution or displacement of the water at the bathing-beach can be accomplished without producing gross pollution of the body of water on which it is situated. The bathing area should be located at a point receiving the greatest exposure to prevailing winds. The variations in the depth of water should be sufficient to provide wading, swimming, and diving facilities for children and adults. The lake bottom at the bathing area should be naturally or artificially surfaced with material of such size and weight that it will immediately resettle on being disturbed by bathers or by wave action, and will not be uncomfortable to the feet of the bathers. Points of attraction in the bathing area, such as diving-stands and piers, should be scattered, in order to prevent the massing of bathers at a single point.

In order to prevent unnecessary pollution of the bathing-beach, certain in-

structions should be given to bathers. They should be warned against swallowing water accidentally taken into their mouth during bathing and against the indecent and dangerous practice of excreting bodily discharges into the water. The practicability of requiring each bather to take a shower-bath before putting on a suit and entering the bath should be given consideration. Persons infected with communicable diseases must be excluded from the bath. It is desirable to have the bathing-beach under analytical supervision. Bacteriological examinations of the water can be made to detect excessive pollution of the bathing area and the gross pollution of the body of water on which it is situated. Microscopic examinations should be made to detect microorganisms, such as algæ, etc., which may be objectionable if allowed to develop in large numbers. Physical and chemical examinations may be indicated in special cases, but are not usually important if the proper body of water has been selected. If excessive pollution is shown to exist in the water of the bathing area during certain periods of the day when large numbers of bathers congregate, this condition may be improved by (a) limiting the number of bathers per hour, (b) by increasing the size of the bathing area, or (c) by disinfection of the bathing area with calcium hypochlorite or liquid chlorine.

The bathing-pavilion should be designed and equipped for a maximum capacity based on the number of persons who, during a given period of time, can safely use the bathing area in the body of water selected. The arrangement of the building should be convenient, and its construction and equipment such that it can be easily cleaned. The exposure of dressing-rooms and locker-rooms to the open air and sunlight is very desirable. A water supply of good sanitary quality for drinking and cleansing purposes should be maintained, and a satisfactory sewerage system installed for the disposal of waste from the building. Drinking water should be accessible, both inside of the pavilion and near the bathing-beach, in order to lessen the incentive for bathers to swallow the water in which they are bathing. Adequate toilet facilities should be

available which will be easily accessible from the bathing-beach in order to discourage the use of the bathing area for this purpose.

The laundry for bathing materials should be conducted under careful supervision, and this material should be thoroughly disinfected during the process of cleaning.

The establishment of large bathing-pavilions and bathing-beaches for the accommodation of great numbers of people is undesirable. Under such conditions it is difficult to prevent the massing of bathers during certain periods, even though the bathing area is comparatively large. A number of small bathing-pavilions scattered about on the bodies of water selected is much more desirable than a single large bathing-pavilion and bathing-beach when considered from a sanitary point of view.

Report of the Secretary-Treasurer for the Year Ending October 12, 1918

The year under review was entirely a war year. Therefore, while the membership of the League was not seriously affected the activities of the membership cities were notably lessened or devoted to different lines from the normal.

Public Improvements

In conformity with the recommendations made by your Secretary last year, most of the towns dropped all but the most vitally necessary municipal improvements. It was pointed out that when the United States Government was in the market for materials

and also for labor and when the demand for both of these necessities was greater than the supply, it would be unpatriotic for any city to undertake municipal improvements which called for labor as well as for steel, concrete and other materials. When labor is being drafted into the army, or into munition works and shipbuilding plants, then cities must do without. Another factor in the situation was the demand for money for prosecuting the war. When colossal amounts were being called for in successive Liberty Loans and subscriptions were being

sought for the Red Cross and other War Relief Agencies, money could not be secured for municipal enterprises and public sentiment opposed any attempt by a municipality to bid against the United States Government for funds or for credit. It must be testified, however, that the cities loyally and faithfully complied with the requests of the government to refrain from building activities.

With the close of the war, however, the cities will be confronted with a problem containing at least two important factors: public work will be in arrears,—the neglected or postponed work of the past two years will have to be made up and the necessary new enterprises launched; on the other hand, great supplies of materials of all kinds will be released for civilian or municipal use and great numbers of men will be restored to civil life. It will be the part of wisdom, therefore, for every city to plan wisely how to utilize and make profitable these two coincident factors. Let plans be made now carefully and with due foresight for all necessary public improvements; necessary bond issues or other financial arrangements should be promptly negotiated, but the actual beginning of work should be postponed until the time is just right. When the market shows a great abundance of material and also when the men come flooding home looking for work, then prudent city officers will at once start just as much work as they can possibly put under way. Thereby money will again flow freely through our interior channels of trade and industry and at the same time we shall avoid having our communities filled with unemployed men. This will be the crucial problem

of the beginnings of reconstruction. Labor must be reabsorbed and municipal enterprises must be resumed. As we handle this problem wisely and sanely so shall our whole period of reconstruction be traversed without shock or dislocation. To repeat, as soon as men and materials are released, every city, town, and village, should begin to hum with street paving, bridge building, sewer laying and all the other multifarious activities of the live and enterprising municipality. In that way each community will be making no small contribution to the prosperity of the United States and to the resumption of our normal course of life.

Membership

Membership in the League during the past year has been well sustained. We are now in the sixth year of the organization and your Secretary can see from year to year a perceptible growth in the feeling of solidarity. We must still impress city officers that membership in the League becomes more valuable if it is sustained regularly year after year. We must also point out the fact that the officers of membership cities should understand that the League is a "give" as well as a "take" organization. We must still progress toward our ideal of having virtually every municipality in the state a member of the League. I believe that this object will be attained as tenure of office among municipal officers becomes more stable and certain.

Information Department

The number of inquiries made of our Municipal Reference Bureau is increasing from year to year. The bi-monthly magazine, "Minnesota Municipalities" is growing in favor as it

grows in excellence. This year there is some increase in advertising receipts over last year. City officials may help the magazine by asking every firm which solicits city business to advertise in the magazine, and also by giving the preference in business to those firms which carry regular advertising.

Legislation

Next January the Legislature of Minnesota meets in its regular biennial session. There will doubtless be the usual amount of legislation which affects the interests of the city. Your League officers are planning to have sets of the legislative journals and to keep track of all municipal legislation. An active and enterprising legislative committee should be appointed to protect the interests of our membership cities and to secure needful legislation.

Litigation.

Many members of this League are also members of the National Septic Process Protective League. This League is now sustaining the city of Shelbyville, Kentucky, in resisting the collection of license fees and damages by the Cameron Septic Tank Company. Thus far there have been only skirmishes in this litigation. Now, however, all side issues and technical matters have been disposed of and the trial of the case is soon to be had on the main issue. The Secretary of the Protective League has sent out an urgent call for renewal of dues. I should like to urge that all cities which are interested in this litigation should at once send their dues to Mr. Frank G. Pierce, at Marshalltown, Iowa, so that this trial may be pushed to a successful conclusion. It will be very much cheaper for any city to pay these annu-

al dues than to pay the license fees if the suit be lost by default.

Reference Engineer

The Municipal Reference Bureau is again planning to ask the Legislature for funds with which to attach to our staff a Municipal Engineer. This will be a part of the budget of the General Extension Division of the University of Minnesota. It is hoped that the membership of the League will be solidly behind this effort to procure the necessary funds.

Clerical Work

During the past year the half-time stenographer provided from League funds has been continued on duty. This use of the League's funds has been found to be very profitable. All of the time of this stenographer has been engaged upon League work.

The League's Liberty Bonds

With the consent of the Executive Committee and by authority of the vote of the League last year the Secretary-Treasurer invested in two Bonds of \$100 each, of the Third Liberty Loan. The League now has invested \$300 in Liberty Loans. These bonds have all been converted into the 4¼ per cent issues.

Members

Up to October 12 when this report was prepared, 136 towns and villages have come into the membership of the league during the year. This compares with 126 at a similar time last year.

The following is the list:

Ada	Bemidji	Canby
Aitkin	Benson	Cannon Falls
Albany	Biwabik	Chaska
Albert Lea	Black Duck	Chisholm
Anoka	Blue Earth	Clara City
Aurora	Brewster	Clinton
Austin	Brooten	Coleraine
Balaton	Buhl	Deerwood
Barnesville	Butterfield	Detroit
Belle Plaine	Caledonia	Dodge Center

Duluth	Mendota	St. Peter
Elk River	Minneapolis	Sandstone
Ellsworth	Minnetonka	Sartell
Ely	Beach	Sauk Centre
Emmons	Montevideo	Sauk Rapids
Eveleth	Mora	Sebek
Eyota	Morris	Shakopee
Faribault	Mountain Iron	Sleepy Eye
Fergus Falls	Nashauk	South St. Paul
Fertile	New Brighton	South Stillwater
Frost	Newport	Spicer
Gilbert	New Prague	Spooner
Glenwood	New Richland	Springfield
Goodhue	New Ulm	Staples
Granite Falls	Northfield	Thief River
Halstad	Norwood	Falls
Hartland	Ogema	Tonka Bay
Hastings	Ogilvie	Tower
Hendricks	Onamia	Tracy
Herman	Oslo	Two Harbors
Hibbing	Osseo	Vernon Center
Hill City	Parker's Prairie	Virginia
International	Pine Island	Wabasha
Janesville	Plummer	Wadena
Kasota	Princeton	Walnut Grove
Keewatin	Proctorknott	Warren
Kenyon	Red Lake Falls	Wells
Kimball	Red Wing	West
Kinney	Redwood Falls	Minneapolis
Lake City	Robbinsdale	Wheaton
Lakefield	Rochester	White Bear
Little Falls	Rollingstone	Willmar
McKinley	Rush City	Winnebago
Madella	Rushmore	Winona
Mankato	St. Cloud	Winthrop
Marble	St. Louis Park	Worthington
	St. Paul	

During the year 30 new members were received into our organization as for the year 1917-18. This compares with 19 new members similarly received last year. These new towns are the following:

Anoka	Kinney	Proctorknott
Barnesville	McKinley	Redwood Falls
Brooten	Mendota	Robbinsdale
Clara City	New Brighton	Rollingstone
Clinton	Newport	Sandstone
Elk River	New Richland	Sartell
Eyota	Onamia	Springfield
Hartland	Oslo	Tower
Hendricks	Parker's Prairie	Walnut Grove
Kimball	Pine Island	Winthrop

For the year 1918-19, six new members have been received as compared with fourteen at this date last year. They are as follows:

Belle Plaine	Hill City	Princeton
Halstad	Mora	Spicer*

Of the total membership as indicated above, 21 have up to this date not paid their dues for the year 1918-19. It is our custom to drop from our list as delinquent the name of any town which has not renewed its membership by the time the annual convention

is over. These delinquent towns on October 12, are as follows:

+ Aitkin	Lakefield	Red Lake Falls
+ Anoka	Madella	Redwood Falls
+ Brooten	Mendota	+ Robbinsdale
Butterfield	+ New Brighton	+ Rush City
Elk River	Newport	Rushmore
Eyota	Onamia	Sauk Rapids
Herman	Plummer	Wadena

It does not always follow because membership has not been renewed that the town wishes to drop such membership. Sometimes it is a case of neglect or oversight. Sometimes it is a matter of new officers' coming into the city government who have not yet learned to appreciate the value of the League. In any case, you may be assured that the Secretary's office will make repeated efforts to bring these towns back into the fold. It may be added that the Secretary's office is unceasing in its efforts to bring in new towns as well as to maintain the membership of old towns. It would, however, be of great assistance to the Secretary's office if the officials of each membership town would make it a business to see to it that all towns in their section of the State are brought into membership. The appeals and arguments of neighbors are always more effective than the more formal letters sent out from the Secretary's office. The Secretary would also like to appeal for assistance in this matter from the members of the Membership Committee. During the coming year a systematic combing out of the State should be resorted to so that every town of one-hundred people or more should have received urgent invitations to join, not only from the Secretary's office, but also from neighboring towns which already hold memberships. To these efforts the Membership Committee could add a solid backing.

*Owatonna and Brownton have joined the League since the list above was prepared.

+Dues received since above list was prepared.

Financial Report of the Treasurer for the Year Ending, October 12, 1918.

This financial report, together with the vouchers, cancelled checks, check book, and duplicate receipts is hereby submitted to the auditing committee.

Receipts

Oct. 15, 1917—Balance on hand.....	\$1580.91
Rec'd from advertising in magazine	393.34
Rec'd from subscriptions to magazine	42.50
Miscellaneous receipts	11.08
Received from dues of cities.....	1472.50

Total receipts.....\$3500.33

Expenditures

Expended for postage	\$ 280.50
Expended for printing	904.85
Expended for office expense.....	568.85
Expended for miscellaneous items....	347.27

Total expenditures.....\$2101.47

Oct. 12, 1918—Balance on hand.....\$1398.86

This balance includes 3 U. S Liberty Loan 4¼% bonds of \$100 par value each, numbered 181211, 181212, 181213.

The detailed account of these receipts and expenditures may be learned from the itemized statements in the Treasurer's book which will be handed over to the auditing committee.

The following statements, however, should be made here:

1. The item of postage, \$280.50, is about one-third larger than the similar item for last year. This is to be ascribed to the fifty per cent increase in the price of stamps.

2. The item of printing, \$904.85, is about \$50 larger than was the similar item for last year and this is accounted for by the increased price of stock and labor entering into printing.

3. The charges under the head of "office expense" amount to \$568.85 and this is more than \$450 higher than the similar item for last year. This may be ascribed largely to the salary of the half-time stenographer for a year

as compared with only five months' expense of this kind included in last year's account. There is also an item of \$75 for a typewriting machine and \$75 for compensation to a girl who injured her finger while working in the office on League business. This settlement was authorized by the Executive Committee.

4. The miscellaneous items are only slightly larger than they were last year. The main items are \$100, expenses of Mr. W. D. L. Hardie, the Mayor of Lethbridge, Alberta, who was one of the speakers at the St. Cloud Convention; \$70.22, expenses of E. L. Bennett, Secretary of our Municipal Reference Bureau, in attending the convention of the National Municipal League at Detroit, the expense being authorized by the League; and \$162.35 to the official stenographer for reporting the St. Cloud convention.

5. The balance of \$1398.86 which we carry over this year, is about \$200 less than the balance with which we began the year. With proper economy and careful management this amount will be ample to carry us through the coming year.

Respectfully submitted,

Richard R. Price.

Secretary-Treasurer.

Whadyamean, "Sport?"

We were not privileged to be present at the recent convention at Medicine Hat of the Union of Alberta Municipalities, but the Medicine Hat Daily News, in carrying over the report of the proceedings from the first page said "Other sport on page 10."

—Western Municipal News,

(Winnipeg).

Selecting an Economic Paint*

By Robert Job

Paint is described, in a general way, as the mixture of finely divided particles of solid matter, called the "pigment," in a liquid, called the "vehicle." Asphalt paint is merely solid asphaltum dissolved in benzine or some other vehicle.

The "pigment" functions to hide the surface over which the paint is applied, to resist the action of weather and wear, and give color. The selection of the most suitable pigment or combination of pigments depends very largely upon the relative importance of these functions under the conditions for which the paint is intended to be used.

The "vehicle" functions as the carrying and cementing body, and dries and binds together the solid particles of pigment in somewhat the same way that portland cement and water unite sand and broken stone to form concrete.

The study of paints was given great impetus, about 1890, through the published investigations of Dr. Charles B. Dudley, for many years the able, widely-known, and respected chemist of the Pennsylvania Railroad. In his studies, among other things, the properties of paint materials were systematically investigated, and what was learned brought about radical changes in the composition and manufacture of paints. The Pennsylvania Railroad gained much valuable information as the result of Dr. Dudley's work. It was clearly realized, for example, that the effectiveness of a paint did not by any means depend upon its cost per gallon or pound. As a matter of fact,

it was proven that some of the most durable paints could be obtained at a minimum cost.

Size of Pigment Particles

The size and form of the particles of the pigment were shown to have a great influence upon the life of a paint coating, though this subject had not previously received any attention. A brief description of a case that clearly illustrates this point may be of interest:

Two bridge paints had been used upon the lines of the Philadelphia & Reading Ry. for a period of about ten years. These paints were made by the same manufacturer, and contained almost the same proportions of the same materials. Though they were exposed side by side and under like conditions all along the road, one of them became known for its good service and the other for very poor service. The life of one was twice that of the other. The difference between the service rendered by these paints was so marked that we determined to get at the real causes, so as to bring the quality of all our paint deliveries to the same high standard of durability represented by the better paint. The discovery that the main difference between the two paints was in the relative size of the particles of the pigments resulted from this investigation. In the long-lived paint these particles ranged from two to ten ten-thousandths of an inch in diameter, with comparatively few of the maximum sizes, while in the shortlived paint the diameters ranged from two to one-hundred and eighty ten-thousandths of an inch.

*From a lecture delivered in the Extension Course on Industrial Chemistry at McGill University.

The average diameter, as nearly as we could estimate, of the particles of the pigment of the satisfactory paint was four ten-thousandths of an inch, against eighty ten-thousands of an inch for the unsatisfactory paint; and, as the volumes of spheres are to one another as the cubes of their diameters, it follows that the average particle of the pigment of the good paint was eight thousand times smaller in volume than that of the bad.

The composition of these two paints was about 75 per cent, oxide of iron, combined with inert matter, such as clay and gypsum, as a filler, ground in pure linseed oil, with a small proportion of Japan drier, as a vehicle. The details of the investigation may be found in the Journal of the Franklin Institute for July, 1904.

The reason why this difference in the size of the particles of pigment makes so marked a showing in the service of the two paints is that where the particles are coarse, relatively large oil spaces surround them; and as linseed oil is by no means waterproof, as we have mentioned, the effect of the weather is soon noticed in such paints. Surface tension also operates in favor of the paint having the finer-particled pigment, on the same principle that fine sand, when wet, holds together, where coarse sand or gravel will not.

These tests demonstrated that some of the most durable paints were composed of the simplest and least expensive of pigments, and created a good deal of interest because the findings ran counter to the preconceived idea of many who had assumed that in order to be really good and give long service a paint must be composed of one of

the most expensive pigments, such as white lead, and that those which contained the so-called "inert materials" were to be looked upon as "doped" products. Because of misbranding and wholesale and indiscriminate adulteration the manufacturers were, in some cases, to blame for this. For example, we have seen a supposedly oil paint that contained thirty per cent of water. Another paint labeled "pure white lead" contained no white lead. Many other cases could be cited, and it is small wonder that such abuses led to a public outcry and legislation that was sometimes carried too far. It became necessary, because of these conditions, to determine the truths about the properties and characteristics of the different paint materials, and the work was finally undertaken by the Scientific Section of the Paint Manufacturers' Association of the United States. A fence was built at Atlantic City and several hundred panels were coated with paints of different formulæ in order to determine the value under exposure to the weather at the sea shore of the more important materials used as pigments, and also to show the most durable combinations of the various pigments under such conditions. Exposures were made on both iron and steel panels as well, and, subsequently, test fences were erected in other parts of the country in order to get varying climatic conditions. The tests were made under the supervision of the American Society for Testing Materials, and a vast fund of information regarding the service value of various compositions and combinations was obtained. Materials that many considered as adulterants not long ago are now known to have a definite value in the design of high-grade paints.

Misrepresentation still exists under the stress of competition, but the general plane of the paint industry is distinctly better, for the simple reason that the principles of manufacture, the relation between cause and effect as applied to paints, and the properties of paint materials, are all far more thoroughly understood than was the case even at the beginning of the twentieth century.

Paint Specifications

It will be clear from what has now been said that in order to be serviceable a paint must be composed of a pigment that is of a character well adapted to the conditions under which it is used; that this material must be in the most effective physical condition, and must be carried in a vehicle which will form an effective bond between its particles, and at the same time be as nearly weather-proof as possible.

The spreading quality is a factor that should be very carefully borne in mind when purchasing paints. That paint having the pigment composed of the most finely divided particles, other things being equal, will spread farthest. Specific gravity is another important factor, and should be studied accurately by the purchasing agent who is buying by the pound. The paint of the least specific gravity will be the greatest in bulk; and it is bulk, not weight that counts in determining the spreading capacity of paints. The labor cost of applying the paint is usually far greater than the cost of the paint itself; and it is important to remember this as a special incentive for the purchasing of the most durable paint for the purpose.

Specifications for various types of paints were the natural outcome of all

the foregoing investigations and experiments with paints and paint materials. Such specifications have been drawn by the writer and others to cover paints for use under many different conditions, and these can be filled by any manufacturer who is willing to give care and attention to the work. Some of them, in fact, now carry these preparations in regular stock.

By purchasing wisely, under carefully-drawn specifications, real competitive prices that represent the true market value of the paint materials, plus a reasonable allowance for the costs and profits of manufacturer, can be secured.

Marked economies have been effected by some of the principal railroads and by many smaller users of paints, through lowered costs and increased service, as a result of working along these lines. Large purchasers know they cannot afford to do otherwise than buy according to specifications specially drawn to cover the needs of the service. It would be much to the advantage of many of the smaller purchasers who use quantities that would warrant the small expense connected therewith if they would do likewise.

Final testing is, of course, absolutely necessary, for it is useless to buy according to specifications, or even on promises, unless the paints actually delivered are tested to determine whether they are as specified or represented.

Just before the war closed a committee recommended that Stillwater sanction an increase of gas and electric rates.

The Bemidji charter commission has proposed a new charter for the city. It provides for the city manager form of government.

Does Road Oiling Pay?

Some Data from Iowa

Oiling an Iowa dirt road under average conditions is not worth the money it costs in the opinion of H. L. Phelps, District Engineer of the Highway Commission for the sixth or east central section of the State.

Mr. Phelps during the season of 1917 was County Engineer of Cedar County. As Engineer acting for and with the Board of Supervisors, he expended \$7,140 provided by road fund in oiling as a maintenance proposition on 40.85 miles of the county road system.

"I would rather, under ordinary conditions found on the Iowa highways, take the same amount of money and put it into other forms of maintenance, especially blade grader work and dragging under an efficient patrol system," says Mr. Phelps. "I believe that more permanently satisfactory results for a greater mileage and for more people,

would be obtained that way than in the expenditure of the money for oiling."

When the oiling campaign was determined upon in Cedar county, the board and engineer decided to give the method a comprehensive trial, in all sections of the county, on different types of soil and so widely distributed throughout the county that the people generally might be able to pass judgment upon that method of maintenance. With this in mind the main travelled roads leading into all the important towns of the county were oiled for considerable distances. Oil was placed on five roads leading into Tipton, the county seat; two into West Branch; one into Durant; one into Sunbury; two into Bennett; two into Lowden; two into Clarence; three into Stanwood; four into Mechanicsville

SUMMARY OF CEDAR COUNTY ROAD OILING DATA

SHIPPING POINT	Condition of surface during Spring breakup in 1918.	Total Length oiled—miles.	Width oiled.	Total amount applied per square yard.	Condition of surface when oil was applied.	Cost of oil per gallon on f. o. b. county.	Total cost. All oil was applied by towns receiving it without cost to the county.
Tipton	See "A"	7.5	16	0.36	Rough Good	0.563	1,437.12
West Branch	See A	3.2	16	0.42	See B	0.531	681.64
Mechanicsville	Very Good	5.95	16	0.22	Smooth Moist	0.53	681.24
Stanwood	Fair	4.5	16	0.30	Smooth Moist	0.533	681.28
Clarence	Very Good	6.3	16	0.34	Smooth Moist	0.544	1,126.27
Lowden	Fair	3.4	16	0.40	Too Dry Smooth	0.575	735.53
Bennett	Fair	2.3	16	0.45	See C	0.547	698.40
Sunbury	See A	3.6	16	0.37	Too Dry Smooth	0.579	369.95
Durant	Fair	2.3	16	0.29	Too Dry Smooth	0.588	373.22
Wilton	See A	2.6	16	0.26	See D	0.558	356.02
Totals.....		40.85					7,140.67

A—Worse condition than roads not oiled.

B—Too dry, some dust and rough.

C—Rough and compact.

D—Sandy soil. Was too dry when oil was applied. Cut into dust 6 inches deep during dry weather in fall of 1917. Spring of 1918 in worse condition than roads not oiled. Same applies to 1.4 miles on the Rochester road out of Tipton.

and one leading toward Wilton in Muscatine County.

The tabulation at the head of this article supplies in compact form the essential points with regard to the oiling, the length of the sections, the length and condition of the road surface when oiled, the width of the oiled strip, the average haul, the amount of oil applied, the cost of the oil per gallon, the kind of oil used, the cost per mile and the total cost of each section. Attached notes also indicate the condition of the oiled section after the road had gone through the winter and the spring break up of 1918.

In concluding his report upon the oiling experiment, Mr. Phelps says: "It is evident that the condition of the road surface is more important than the amount of oil applied per square yard. About one-half of the oil applied at Mechanicsville was subject to the Lincoln Highway traffic. As appears in the above tabulation, the amount applied per square yard was the lowest for the whole county, withstood the heaviest traffic and is in better condition today than any road oiled.

The results at Clarence on the Lincoln Highway were fully as good as at Mechanicsville.

"There seems to be no use to oil a road that is the least bit sandy.

"It is the opinion of the writer that two applications should always be made from three to five days apart.

"The surface should be compact and free from dust. The dust should be dragged to the shoulders of the grade immediately ahead of the oiler.

"The oil should be applied hot.

"The grade should have approximately an 8-inch crown built at least a year in advance of the oiling.

"Roads should be patrolled to keep surface drainage in good order.

"Counties should own the machinery to apply oil and charge for the application.

"Do not depend on donations to apply oil unless such donations are in the form of cash. Donated labor as regards oiling is a liability rather than an asset."

—Iowa State Highway Commission
Service Bulletin.

Decision of Judge Westenhaver in the Columbus Street Railway Fare Case

Saturday morning, September 21, Judge D. C. Westenhaver, U. S. district judge of Cleveland, Ohio, handed down a lengthy decision in the Columbus street car case. In this case the company sought to enjoin the city from enforcing the terms of the franchises as to rates of fares and issuance of transfers, the company having on August 20 repudiated these franchise contracts

and begun charging a different and higher rate of fare. Judge Westenhaver refused the company's motion for an injunction against the city and sustained the city's contention that no federal question was involved, and even if there was, the plaintiff's bill of complaint stated no cause of action.

The judge stated that the primary and controlling question in his opinion,

depended on the nature of the relation created between the complainant and the city by these franchise grants; that under the statute law of Ohio in force when these ordinances were passed and the judicial holdings on the same or similar franchises in the U. S. supreme court, and the supreme court of Ohio.

Binding Contracts

"The law of this state as settled by these cases, is that the legislature of Ohio delegated to municipal corporations full power and authority to enter into binding contracts for the maintenance and operation of street railway lines; that whatever the city in fact does pursuant thereto is the act of the state and is mutually binding upon the parties. Franchise grants for fixed terms, not exceeding twenty-five years, and for a fixed rate of fare to continue during the term of such grants, may lawfully be made by the city under this legislative delegation of power. If the city passes an ordinance purporting to grant a franchise for a fixed term with a rate of fare to endure during that term, and this ordinance is accepted expressly or impliedly, a contract is engendered mutually binding and unalterable, except by the consent of both parties, during the term thereof."

Cases Cited

After reviewing a great many cases decided by the U. S. Supreme court, the most important being the cases of the city of Cleveland vs. Cleveland City Railway Company, 194 U. S., 517; Cleveland vs. Cleveland Electric Ry. Co., 201 U. S., 529; Cleveland Electric Ry. Co. vs. Cleveland, 204 U. S., 116; City Railway Co. vs. Citizens Street Ry. Co., U. S., 557; Detroit vs. Detroit Citizens Street Ry. Co., 184 U. S., 368; Interurban Company vs. Cincinnati, 93

O. S., 109; State ex rel. vs. Black Diamond Company, 97 O. S., p. —, and the case of Fort Laramie vs. Gress, decided in July of this year. Judge Westenhaver concludes:

"It follows from this settled law that a contract has been engendered, mutually binding upon the city and upon the owner of these franchises; that this contract requires the owner during the entire term of twenty-five years to furnish street railway service at the rates of fare therein provided, and that neither the complainant nor the city during this term has the right to change or alter that rate without the consent of the other."

Law Vindicated

"The impairment of contract and the due process of law clauses of the constitution have often been invoked to prevent cities from impairing franchise grants, or forcing a reduction in the contract rate, and the courts have uniformly, despite all criticism, sustained and upheld them and, in so doing, have vindicated the law. It is equally the duty of the courts to uphold these contracts and vindicate the law when it is the grantee therein, and not the city which is seeking to change the terms thereof without the consent of the other party. It is of primary importance that contracts should be upheld by the courts, for the right to contract and the binding obligation of contracts once made lie at the foundation of all public and municipal law."

Obligation Binding

Judge Westenhaver then took up and disposed of the contention of the company that the company, by reason of the war, is confronted with a greatly increased cost of operation and increased expenditure on account of the

raising of the wages of its employees by the war labor board by observing:

"If there is a binding obligation to maintain and operate a part of a system it is questionable whether that part or branch can ever be abandoned, unless the losses inflicted by its continued operation are such as will wreck the entire system. On the other hand, if the operation of a railway line cannot be continued owing to insolvency, a court will not by mandamus or otherwise try to compel its further operation, and this is particularly true if its continued operation will perform no useful public service.

"This refusal of the courts to interfere does not proceed on the view that the company had a right to abandon the operation of an unprofitable system or of an unprofitable branch. If there is a statutory or contract duty to maintain and operate, this obligation still remains in law, just as a debtor's obligation to pay his debts remains after he has become insolvent; but a court will not attempt to compel by mandamus or otherwise that which is manifestly futile and impossible, for a court has no means of providing capital to operate an insolvent railway company or to continue its operation after it has become insolvent. This, it seems to me, is all that can be claimed for the statement found in some cases that a court will not compel a continued operation at a loss of a railway line or branch."

Company's Showing

Judge Westenhaver then says:

"These conditions are not present in this case. The complainant does not allege insolvency or make any showing of inability to perform the terms of its contract. Its showing merely is that operation for the year ending June

30, 1918, yielded only 4½ per cent. net return on capital actually invested, after deducting operating expenses, taxes, and a reasonable allowance for depreciation; and that operation during the year ending June 30, 1919, at the increased wage schedule will result in a loss of \$250,000.00 on operation alone.

"These statements, it will be noted, apply only to the street railway part of the complainant's business. Furthermore, this is not an application by the city for a mandamus or a mandatory injunction to compel continued operation under present conditions, nor a suit to compel specific performance of a harsh and unconscionable bargain. Complainant here is seeking an injunction to protect it in a manifest and plain violation of its contract. The rules of law under which courts have refused to compel the operation of an unprofitable railway branch or an unconscionable contract have no pertinency."

Conditions Not Present

Judge Westenhaver also considered the contention made by the company that it has the right to end these franchise contracts because of new conditions not foreseen when they were entered into, that is, the war and the increased cost of operation due to the war. In disposing of this phase of the case, while recognizing that there is well-established judicial authority in which relief is granted when unforeseen conditions arise rendering impossible the further performance of a contract into which parties may have entered whereby it was impossible for one of the parties to proceed farther, Judge Westenhaver says:

"No such conditions are here present. The performance of these franchise

contracts has not been made illegal nor rendered impossible by any superior power. War conditions, it is true, have made the performance of them only more burdensome and expensive, so far as the facts now presented tend to show. The war has in a different degree perhaps affected the performance of many, if not the larger part of outstanding and unexecuted contracts between citizens of the United States, yet it would be a strong proposition to say that all such contracts are thereby rendered void or voidable at the option of the losing party.

Differs Only in Degree

"The increased cost to complainant of performing its franchise contracts differs only in degree and quality from that due to other economic causes prevailing since they were made. If the war or economic changes had decreased the price of coal, materials, supplies and labor, it would not be urged upon anyone that the city would have the right to declare null and void these contracts or the fare provisions therein, and establish a new rate in accordance with new conditions; and if the city should take such a position it would be met, and justly, with a complaint that such action is impairing the obligation of a valid and binding contract.

"In order to make applicable the principles of law urged in this connection, it would be necessary to show that war or military authority had directly interfered in such a manner as to make these contracts illegal or impossible of performance. Nothing less than the equivalent of actual seizure by military authority, or a direct and forcible intervention to prevent further performance would bring the case within the operation of these rules."

Bill Should be Dismissed

After an exhaustive analysis of each phase of the case as presented by the attorneys for the company, Judge Westenhaver finally concludes the legal and equitable phases involved in the case as follows:

"I am of the opinion that the bill should be dismissed because it does not state facts constituting a valid cause of action in equity.

"I am also of the opinion that on the facts stated this court has no jurisdiction. There being no diversity of citizenship, jurisdiction is invoked only because of the due process of law clause of the fourteenth amendment. The facts stated in the bill show a valid and binding contract from the force and effect of which complainant is seeking to escape. No threatened action of the city authorities is complained of, except that it may endeavor to enforce compliance by complainant with its contract. No charge is made that other than legal methods will be adopted for that purpose, and, in the absence of a statement clearly showing a threatened resort to illegal means, a court must assume that the city officials will proceed in conformity to law.

"The law is well settled, as contended for by complainant, that if the facts stated make a real and colorable federal question, jurisdiction properly attaches and will not be ousted, even if on the hearing the claim thus made is held to be without merit in law, or without foundation in fact. On the other hand, when no real and colorable but only a fraudulent and fictitious federal question is stated, the jurisdiction of the court does not attach for any purpose, and it is the duty of a federal court of its motion to refrain from

such an unwarranted exercise of jurisdiction. And even when the threatened act may be an impairment of a contract, or a deprivation of property without due process of law, still if the only means threatened to be used are resorts to the courts or to legal proceedings, a case is not stated within the jurisdiction of a federal court. Such seems to me to be the present case.

Agreement Suggested

"This opinion should perhaps be ended here, but the importance of the interests at stake moves me to make some further observations, in the hope that the apparently strained relations between the complainant and defendants may be ameliorated. It cannot be denied, on the showing made, that the present war has greatly increased the cost of street railway operation. The award of the national war labor board in the wage controversy cannot be regarded otherwise than binding on the company, and the increase of wages granted by the company pursuant thereto cannot, in any fair sense, be considered as its voluntary act. It is also undoubtedly true, on the showing made, that complainant cannot, under existing conditions, finance any improvements made necessary to meet new demands for heat, light and power, or for increased street railway facilities; and its failure so to do must injure the interests of the defendant and its inhabitants as much as it injures the complainant.

"Prolonged operation under these conditions would seem to be a manifest impossibility and must result in impairing the street railway service and grievously harming the people and business of the city. These considerations do not, for reasons already stat-

ed, present any ground upon which a court can grant relief, for it has power only to declare the law and apply it. A sound policy forbids usurpation by the court of governmental power lodged in other departments of the government. No power inheres in a court either to make contracts for parties or to absolve them from the effect of their contracts when the parties are competent in law to contract and no fraud intervenes in the making thereof.

"In view of these well-recognized limitations of the courts power, I can only suggest that the present emergency, likely as it is to become much graver in the near future, calls urgently for some kind of accommodation or temporary compromise between the parties. No intimation is made that blame attaches to either, much less that one more than the other is at fault, for it is undoubtedly true that the present situation is due to the rapid and unexpected evolution of uncontrollable events; but some kind of a *modus vivendi* fair to both and to endure at least for the period of the war should be agreed to in order that loss to both may be prevented and the public mind may not be distracted by a street railway war when engrossed in problems of a foreign war. If something is not done no gift of prophecy is required to foresee that the recommendation of the national war labor board will be acted upon, namely, that the President of the United States, as commander-in-chief of its armed forces by virtue of the power inherent in his office and conferred by congress, will seize and operate the street railway at rates yet to be fixed. Such a shifting of duty and of responsibility would not be creditable to the people of a self-governing city.

nor to the business management of an efficient public service corporation."

COMMENT

by City Attorney Scarlett

"It is to be noted that this suggestion does not contemplate an increase in fares for the purpose of paying dividends to stockholders, who took their chances at the time of the investment on what future developments might prove to be the profitable or unprofitable nature of the franchise contract,

but only for the purpose of paying operating costs, inclusive of necessary maintenance and repair charges, the inability of the company to pay which would result in the appointment of a receiver or a deterioration in the necessity can be determined only when a full and frank statement is furnished by the Columbus Railway, Power and Light Company, showing in detail its receipts and expenditures."

—The City Bulletin, Columbus, O.

Information Department

Conducted by the Municipal Reference Bureau,
General Extension Division, University of Minnesota,
E. L. BENNETT, Secretary

The Municipal Reference Bureau is at the service of all Minnesota municipalities for the answering of questions concerning municipal government and administration, for making researches, drafting ordinances, and sending suggestions to municipalities with particular problems. A number of selected questions of general municipal interest which are answered by the Bureau will be published in this Department of each number of MINNESOTA MUNICIPALITIES.

Compensation of Employee; Physician's Claim

Question: In August, 1917, one Lee ——— employed by this village while doing excavation for the village sustained a fracture of the forearm. The injury was attended by a doctor who, after a short time presented a bill to the village council, acting at that time, and the bill was rejected. Following is record of council at that meeting: "A bill of Dr. ——— for services rendered for dressing and setting broken arm, was disallowed on the grounds that the village was not in any way obligated to this charge, having settled with Mr. ——— to his satisfaction in the matter." Mr. ——— left the village a short time after this and the matter was dropped until the meeting of the council October 3, 1918,

when Dr. ——— again presented the bill to the council.

Would, in your opinion, this be a legal claim against the village?

Answer: The following opinion was furnished by Mr. James E. Markham, assistant attorney general:

"In regard to payment for surgical attendance in connection with adjustment of claim under the Workmen's Compensation Act, the statute provides that the employer shall furnish to the injured employee, in addition to the specified compensation—

"Such medical and surgical treatment, medicine, medicinal and surgical supplies, crutches and appliances as may be reasonably required at the time of the injury, and thereafter during the disability, but not to exceed ninety days, to cure and relieve from the

effect of the injury, the same to be provided by the employer, and in case of his inability or refusal seasonably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employee in providing the same."

"I assume that in the case to which you refer there has been a settlement with the injured employee, and if this settlement included an allowance for medical and surgical care, and was submitted to and approved by the court in the manner provided by the statute, the whole matter is disposed of, and no further claim can be made upon the village by anyone.

"If the adjustment was merely informal, and covered only the claim for fixed compensation, and did not include any allowance for medical and surgical care, then the employee would not be foreclosed of his right to bring the employer into court to answer for the part of his claim that has not been adjusted and paid.

"I find no provision of statute which

would justify the doctor rendering the service to institute a proceeding against the employer. His claim is against the employee, and can be enforced only in a proceeding brought by the employee.

"In the instant case, if the village has not already paid an amount of money sufficient to satisfy the amount which the employee is entitled to under the statute, including reasonable allowance for medical and surgical care, then the informal adjustment, if there has been a merely informal adjustment, could be reopened, and the entire claim established and allowed. In such a proceeding it is probable that the court, upon the representation that the injured employee might appropriate the entire allowance without payment of the doctor bill, would incorporate some provision in the order for the doctor's protection. I find no provision authorizing the presentation of a claim by the doctor who renders surgical or medical aid otherwise than upon the request of the employer."

Seattle, Washington, has purchased the privately owned streetcar system in that city. About ten per cent of the mileage of the city lines were already municipally owned, having been built by the city.

Minneapolis adopted a proposal to issue bonds and establish a municipal market, at the election November 5th.

The Mayor of Charlotte, N. C. has announced that the city's water rates are to be reduced, as the plant has been earning a surplus.

Cannon Falls, it is reported, requires influenza masks to be worn during the epidemic.

Crookston has amended her charter to authorize the establishment of a municipal swimming pool.

Brainerd is trying to get a charter amendment which will permit a higher rate of city taxation.

St. Paul will pay the same prices as heretofore for gas and electricity used in street lighting: \$10.50 per gas lamp, and three cents per kilowatt hour for electricity.

San Francisco required all persons to wear masks when on the streets or in public places during the influenza epidemic. **Indianapolis** adopted the same measure.

These are the League of Minnesota Municipalities

Ada	Deerwood	International	Nashwauk	Red Lake Falls	Thief River
Aitkin	Detroit	Falls	New Prague	Red Wing	Falls
Albany	Dodge Center		New Brighton	Redwood Falls	Tonka Bay
Albert Lea	Duluth	Janesville	New Richland	Robbinsdale	Tower
Anoka			New Ulm	Rochester	Tracy
Aurora	Elk River	Kasota	Newport	Rollingstone	Two Harbors
Austin	Ellsworth	Keewatin	Northfield	Rush City	
Balaton	Ely	Kenyon	Norwood	Rushmore	
Barnesville	Emmons	Kimball			Vernon Center
Belle Plaine	Eveleth	Kinney			Virginia
Bemidji	Eyota				
Benson				St. Cloud	
Biwabik	Faribault	Lake City	Ogema	St. Louis Park	
Blackduck	Fergus Falls	Lakefield	Ogilvie	St. Paul	Wabasha
Blue Earth	Fertile	Little Falls	Onamia	St. Peter	Wadena
Brewster	Frost		Oslo	Sandstone	Walnut Grove
Broton		McKinley	Osseo	Sartell	Warren
Brownton	Gilbert	Madella	Owatonna	Sauk Centre	Wells
Buhl	Glenwood	Mankato		Sauk Rapids	West
Butterfield	Goodhue	Marble		Sebeke	Minneapolis
Caledonia	Granite Falls	Mendota		Shakopee	
Canby	Halstad	Minneapolis	Parker's	Sleepy Eye	Wheaton
Cannon Falls	Hartland	Minnetonka	Prairie	South St. Paul	White Bear
Chaska	Hastings	Beach	Pine Island	South Stillwater	Willmar
Chisholm	Hendricks	Montevideo	Plummer	Spicer	Winnebago
Clara City	Herman	Mora	Princeton	Spooner	Winona
Clinton	Hibbing	Morris	Proctorknott	Springfield	Winthrop
Coleraine	Hill City	M'tain Iron		Staples	Worthington

They number 138 and include the Best among Minnesota's Cities and Villages, large and small. Your municipality belongs in the list.

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500 to 3,000.....	10.00	10,000 to 20,000.....	25.00
3,000 to 5,000.....	15.00	20,000 to 50,000.....	35.00
Over 50,000	\$45.00		

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